

LITCHFIELD COUNCIL



Community effort is essential

Council Meeting BUSINESS PAPER WEDNESDAY 15/08/2018

Meeting to be held commencing 6:30pm
In Council Chambers at 7 Bees Creek Road, Freds Pass

Kaylene Conrick, Chief Executive Officer

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.



LITCHFIELD COUNCIL MEETING

Notice of Meeting
to be held in the Council Chambers, Litchfield
on Wednesday, 15 August 2018 at 6:30pm

Kaylene Conrick
Chief Executive Officer

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COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 15 August 2018

1. Open of Meeting

Audio Disclaimer

An Audio recording of this meeting is being made for minute taking purposes as authorised by the Chief Executive Officer.

2. Acknowledgement of Traditional Ownership

Council would like to acknowledge the traditional custodians of this land on which we meet on tonight. We pay our respects to the Elders past, present and future for their continuing custodianship of the land and the children of this land across generations.

3. Apologies and Leave of Absence

4. Disclosures of Interest

Any member of Council who may have a conflict of interest, or a possible conflict of interest regarding any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.

5. Confirmation of Minutes

THAT the minutes of the Council Meeting held 18 July 2018, 14 pages, be confirmed.

Minutes have been distributed under separate cover and are publicly available on Council's website <http://www.litchfield.nt.gov.au/council/council-meetings/council-minutes> or in hard copy by request.

6. Business Arising from the Minutes

THAT Council receives and notes the Action Sheet.

Resolution Number	Resolution	Action Officer	Meeting Date	Status
15/0175/02	Meeting Procedures By-Laws THAT Council instruct the Acting Chief Executive Officer to begin negotiating with Parliamentary Counsel on the drafting of Meeting Procedures By-Laws for Litchfield Council.	CEO	19-11-15	Drafting Instructions with Parliamentary Council for review.
16/0203	Signage, Roadside Vans and Events on Council Land 1. Endorse a position that no approvals will be given for signage, roadside vans or events on council owned land until such time as appropriate policy, procedures and by-laws are developed. This excludes Council Reserves which are run under management by committee or under lease to an incorporated body; 2. Develop Council by-laws to cater for the regulation of a permit system for signage within the municipality and roadside vans and events on council owned land; 3. Develop policy and procedures to support any Council by-laws which are enacted; and 4. To commence work on these by-laws, policy and procedures in 2017/18 financial year.	DCCS	21-09-16	On hold until Meeting By-Laws are progressed.

Reconstruction of Finn Road				
16/0208	<p>1. endorse the funding applications for \$4,500,000 to the NT Government Regional Economic Infrastructure Fund for the reconstruction of Finn Road at an estimated total cost of \$4,650,000; and</p> <p>2. allocate \$250,000 (cash in kind) from its 2016/17 approved budget towards the project should its application be successful comprising: General Consultancy \$80,000 Project Management (in kind) \$150,000 Infrastructure Reserve \$20,000 TOTAL \$250,000</p>	DIO	21-09-16	<p>COMPLETED</p> <p>Project scope reduced to match grant budget of \$1.5m, plus \$400,000 approved to be transferred from the Freds Pass Road Upgrade grant. Contract award is underway.</p>
Acquisition Application of Mira Square - Section 0368 (24) Aldridge Street, Southport				
16/0061	<p>THAT Council:</p> <p>endorses the Acquisition Application of Mira Square, at Section 0368 (24) Aldridge Street, Southport;</p> <p>approves the allocation of a \$20,000 grant to the Southport Progress Association as seed funding for the financial year 2016/17; and</p> <p>allocates \$10,000 annually, commencing in 2017/18 as an operating grant to the Southport Progress Association to manage Mira Square.</p>	DIO	20-04-16	<p>Acquisition Application noted in the 2016 recommendation was unsuccessful. Work is progressing on a Master Plan of the proposed development on the site as a pre-requisite to lodging a new application. Staff are continuing to work with SPA and Crown Land on this application.</p>
Improvements Berry Springs Waste Transfer Site				
16/0234	<p>THAT Council undertakes the following safety works at the Berry Springs waste transfer site to improve public and staff safety at the estimated costs outlined below:</p> <p>Video surveillance \$9,882.40 1km of new fence & gates \$44,297.00 Improved facilities for staff \$10,000.00 Installation of waste performance boards \$6,000.00 TOTAL \$70,179.40</p>	DIO	19-10-16	<p>COMPLETED</p> <p>Camera has been installed, fence has been installed, and waste performance boards have been installed at all 3 transfer stations.</p> <p>Staff facilities were not approved at the time, however the 2018/19 budget includes the required funds for the facilities.</p>

Litchfield Aquatic Facility Needs Analysis Report

17/0036/4	<p>THAT Council engages the Northern Territory Government to work together to address the gap in aquatic services in the southern part of the Litchfield municipality, in particular the provision of Learn to Swim facilities.</p>	CEO	15-02-17	<p>Council is seeking external funds to contribute to the next stage of this project which is undertaking a full feasibility study including detailed design and costing.</p>
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Procurement of Operation and Maintenance Contract for Council Streetlights

THAT Council:

- | | | | | |
|----------|---|-----|----------|---|
| 1718/125 | <ol style="list-style-type: none"> 1. authorises the Chief Executive Officer to negotiate with City of Darwin to enter into agreement for City of Darwin to provide selected services from its contract with Top End RACE for operation and maintenance of streetlights; 2. authorises the Chief Executive Officer to enter into a supply agreement with the City of Darwin for operation and maintenance services for streetlights and supply of streetlight luminaires, should negotiations outlined in Part 1 be acceptable; and 3. publish this decision on Council's website. | CEO | 13-12-17 | Contractual arrangement signed by CEO awaiting signing by City of Darwin. |
|----------|---|-----|----------|---|

Parkin Road Widening Through Road Opening

THAT Council:

- | | | | | |
|----------|---|-----|----------|---|
| 1718/234 | <ol style="list-style-type: none"> 1. resolved to proceed with the road opening process for a 5m wide strip of Section 674, Hundred of Cavenagh to form part of the Parkin Road road reserve; 2. advertise for a period of 28 days and publish the required notifications under the Local Government Act to advise the public of Council's intention to open this section of road; 3. approve the issue of the required Government Gazette notice; and 4. authorise all appropriate documents to be signed and common seal affixed by the Mayor and Chief Executive Officer for the opening of the new access road. | DIO | 16-05-18 | Public exhibition period has finished. Working with Crown land to finalise the paperwork. |
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Berry Springs Water Advisory Committee - Council Representative

- | | | | | |
|----------|---|---------|----------|---|
| 1718/240 | <p>THAT Council appoints Councillor Barden as its nominated representative to lodge an Expression of Interest for the Northern Territory Government Department of Environment and Natural Resources Berry Springs Water Advisory Committee.</p> | CEO/DIO | 16-05-18 | Nomination sent in by 30 May 2018. Waiting on confirmation from the department. |
|----------|---|---------|----------|---|

Land Acquisition and Road Opening associated with the Realignment of Freds Pass Road between Beaumont Road and Strangways Road			
1718/261	<p>THAT Council:</p> <ol style="list-style-type: none"> 1. approve the purchase of 780m² from Lot 7 (150) Freds Pass Road at a cost of \$10,000, upon signed agreement from the landowner and upon the conclusion of the road opening process; and 2. proceed with a road opening over this portion of land and authorise all appropriate documents to be signed and common seal affixed by the Mayor and Chief Executive Officer for the opening of the new road reserve. 	27-06-18	<p>DIO</p> <p>No public comments were received on the road opening. Council will prepare the survey plan and finalise the remaining NTG requirements. Upon completion of the road opening, Council will make payment to the land owner.</p>
Natural Disaster Relief and Recovery Arrangements (NDRRA) January Monsoonal Trough and Cyclone Marcus			
1718/266	<p>THAT Council:</p> <ol style="list-style-type: none"> 1. notes the expenditure and progress of the recovery works completed for Cyclone Marcus; and 2. endorses the commencement of works for roads affected by the Monsoonal Trough - January 2018, estimated to cost \$1,866,750.25, without the approval from NDRRA. 	DIO	<p>27-06-18</p> <p>Design works underway, to be completed by end of August, with works to commence shortly after for all except Brougham Road which requires a new tender for the works.</p>
Improving the Productivity of the Mango Industry Project			
1718/267	<p>THAT Council:</p> <ol style="list-style-type: none"> 1. receives and notes the Business Case Improving the Productivity of the Mango Industry in Litchfield Municipality; 2. endorses seeking external funding to realise the Improving the Productivity of the Mango Industry Project (the sealing of 15.2kms of the four key mango industry roads), estimated to cost approximately \$20.1m; 3. provides in-principle support to contribute up to \$5m to the project. This in-principle support would require a Council resolution and budget allocation, at a later date, to proceed with the project; and 4. endorses the Improving the Productivity of the Mango Industry Project, as one of Council's Top 3 Advocacy Projects. 	CEO	<p>27-06-18</p> <p>Meetings have commenced.</p>

Mobile Work Force Shed Construction Update

1718/257	<p>THAT Council:</p> <ol style="list-style-type: none"> 1. receive this report for information; and 2. approve the Special Purpose Grant Acquittal Form for 30 June 2018 to the Northern Territory Government for Grant HCD2017/01687 	DIO	27-06-18	<p>COMPLETED. Acquittal form processed.</p>
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LGANT Nomination of Executive Members

1819/010	<p>THAT Council:</p> <ol style="list-style-type: none"> 1. nominates Mayor Bredhauer for the position of Vice President-Municipals on the Local Government Association Northern Territory Executive; 2. nominates Mayor Bredhauer for the position of Executive Board Member - Municipals on the Local Government Association Northern Territory Executive; 3. nominates Mayor Bredhauer for the position of Executive Board Member- All Councils, on the Local Government Association Northern Territory Executive; and forwards the Council nominations to the Local Government Association Northern Territory 	DCCS	18-07-18	<p>Completed. Nominations submitted to LGANT.</p>
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Elected Member Allowances and Benefits and Support policy

THAT Council:

1. Set the Elected Member allowances for the year 2018/19 as follows:

- Mayor \$92,372.55 for the year paid on pro rata monthly basis in arrears (base allowance \$73,125.37, electoral allowance \$19,247.18) and subject to individual activity and prior approval a professional development allowance not more than \$3,653.68.

- Deputy Mayor \$31,852.48 for the year paid on pro rata monthly basis in arrears (base allowance \$27,039.81, electoral allowance \$4,812.67) and subject to individual activity and prior approval a professional development allowance not more than \$3,653.68.

- Councillors \$17,964.50 for the year paid on pro rata monthly basis in arrears (base allowance \$13,151.83, electoral allowance \$4,812.67) and subject to individual activity and prior approval a professional development allowance not more than \$3,653.68.

2. Set the Extra Meeting Allowance at \$140 dollars per meeting with conditions as set out in EM05 Elected Member Benefit and Support Policy; and

3. Adopt the DRAFT EM05 Elected Member Benefits and Support policy as presented.

1819/011

DCCS

18-07-18

Completed.
Policy Register updated and EM05 available on Council's website.

Municipal Plan & Budget 2018-19

1. THAT Council pursuant to Section 24 of the Local Government Act, endorse the Municipal Plan and Annual Budget 2018-19 as provided as an Attachment to report 18/0106.

1819/012

DCCS

18-07-18

Completed.
Plan published on Council's website.

2. THAT Council authorises the Chief Executive Officer to make editorial changes, as necessary.

Palmerston and Rural Seniors Committee Sponsorship

THAT Council:

1819/015	1. acknowledges the contribution of the Palmerston and Rural Seniors Committee in providing social opportunities and celebratory events for seniors living in the Litchfield Municipality; and 2. commits \$7,500 per annum for a further three-year sponsorship agreement with the Palmerston and Rural Seniors Committee.	DCCS	18-07-18	Completed. Letter sent to PRSC, agreement received for signing.
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Request for financial support from NT Farmers campaign

THAT Council

1819/018	1. approve the allocation of \$5,000 sponsorship for NT Farmers Association 'The Sweetest Job Campaign'; 2. writes to NT Farmers advising that their application for sponsorship funding has been successful with the following conditions of funding: a. that a report is provided to Council on the activities and results of the campaign within six months of the campaign concluding; and b. that Litchfield Council is recognised in campaign promotional material.	DCCS	18-07-18	COMPLETED Letter sent to NT Farmers. Community Development Officer joining Steering Committee and working with NT Farmers and RDA NT.
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Humpty Doo Activity Centre Area Plan – 320 Arnhem Highway

THAT Council provide support for the following matters to be addressed in the Humpty Doo Rural Activity Centre Area Plan, in relation to Council's parcel at 320 Arnhem Highway:

1819/019	<p>a) indicating the potential for a mix of uses on 320 Arnhem Highway that would support development of community uses on the site while not prohibiting typical small-scale retail commercial, office, or restaurant type use of the site;</p> <p>b) providing a traffic signal at the existing intersection of Freds Pass Road with the Arnhem Highway, rather than a new road across Council land at 320 Arnhem Highway; and</p> <p>c) noting that traffic calming treatments should be provided to Freds Pass Road between Skewes Street and the easternmost entry to Challoner Circuit to provide safe pedestrian access between the existing commercial and community uses and the potential development of 320 Arnhem Highway.</p>	DIO	18-07-18	<p>COMPLETED</p> <p>Email sent advising the NT Planning Commission.</p>
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Public Library Services in Litchfield Municipality

THAT Council:

1. authorises the Chief Executive Officer to enter into a five-year funding agreement to provide Litchfield public library services provided that the following occurs:

- a. transition funds supporting the transfer of library services are provided by Northern Territory Library, as negotiated to the satisfaction of Council represented by the Chief Executive Officer;
- b. a Memorandum of Understanding is signed with Taminmin College for the public library space under the same arrangement currently enjoyed by Northern Territory Library, at no additional cost;
- c. the transfer of the Taminmin Community Library service to Council occurs no later than 1 January 2019;

2. writes to Northern Territory Library to advise of Council's decision;

3. authorises the Chief Executive Officer to explore service delivery options with neighbouring councils to provide an efficient and effective library service for Litchfield residents, including alternative facility locations for the future; and

4. receives an update report at a future Council meeting on progress made on the points above.

1819/020

DCCS

18-07-18

NT Library advised of Council's decision in writing 19 July 2018.

Meeting to discuss transfer process. Transition committee will be established between NTL and Council.



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 15 August 2018

7 Presentations

8 Petitions

9 Public Forum

10 Accepting or Declining Late Items

11 Notices of Motion

12 Mayors Report

12.1 Mayor's Report



COUNCIL REPORT

Agenda Item Number:	12.1
Report Title:	Mayor's Monthly Report
Report Number:	18/0120
Meeting Date:	15/08/2018
Attachments:	Nil

Purpose

A summary of the Mayor's attendance at meetings and functions representing Council for the period 19 July 2018 to 15 August 2018.

Summary

Date	Event	Comment
Friday, 20 July 2018	Territory FM	Regular radio interview
Monday, 23 July 2018	ABC Radio Interview	Recycling – War Against Waste Week
Tuesday 31 July	Berry Springs Seniors	Council held morning tea for Seniors hosted by the Mayor
Wednesday, 1 August 2018	Coolalinga Community Bank	Future Partnership opportunities
	One on One Media Coach	Professional Development
	You Are Important Australia	Aged Care Facility Project Update
	Councillor Briefing Session	Regular monthly meeting
Friday, 3 August 2018	2018 NT Disability Services	Official Launch & Inclusion Awards
	Territory FM	Regular radio interview
	Federal Member for Solomon – Luke Gosling	Mango Industry Strategic Roads Project
Wednesday, 8 August 2018	Member for Goyder Kezia Purick	Mango Industry Strategic Roads Project
	Humpty Doo Rural Activity Centre – Community Advisory Committee	Project Meeting

Date	Event	Comment
Friday, 10 August 2018	Territory FM	Regular radio interview
Sunday, 12 August 2018	Palmerston & Rural Seniors Fortnight	Opening Ceremony
Tuesday, 14 August 2018	Berry Springs Seniors Group	1 st Birthday Lunch
	True North Strategic Community	Grants Lithium Project Update

Recommendation

THAT Council receive and note the Mayor's monthly report.



LITCHFIELD COUNCIL MEETING

Wednesday 18 July 2018

13 Reports from Council Appointed Representatives

Council appoints Council representatives to external committees. *Council Appointed Representatives* provide a verbal update on activities over the past month relating to the committees to which the Councillor has been formally appointed.

- | | | |
|-----------------|---|--|
| Mayor Bredhauer | - | Howard East Water Advisory Committee |
| Cr Barden | - | AACo Community Reference Group |
| | - | Freds Pass Upgrade Reference Group |
| Cr Simpson | - | Freds Pass Sport & Recreation Management Board |
| | - | Freds Pass Rural Show Committee |
| Cr Salter | - | Howard Park Reserve Committee |
| | - | Knuckey Lagoon Reserve Committee |



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 15 August 2018

14 Finance Report

14.1 Finance Report July 2018



COUNCIL REPORT

Agenda Item Number:	14.1
Report Title:	Council Finance Report – July 2018
Report Number:	18/0132
Meeting Date:	15/08/2018
Attachments:	Nil

Purpose

The purpose of this report is to present the monthly finance report for the period ended 31 July 2018.

Recommendation

THAT Council receives the Litchfield Council Finance Report for the period ended 31 July 2018.

Background

This report comprises the original budget along with the end of year forecast. Forecasting includes all projects carried over from the prior financial year and current budget year variations.

There are some variations from budget reflected in the forecasting due to grant funding received at the end of the 2017-18 financial year for projects to commence in the 2018-19 financial year. This will result in an increase in financial reserves and capital expenditure for:

- Humpty Doo Village Green Furniture & Fittings Upgrade totalling \$33,824
- Council Office Solar System Installation remaining for 2018/19 is \$28,625
- Howard Park Reserve Irrigation upgrade remaining for 2018/19 is \$6,792

Total Revenue for the month of July reflects Rates levied and recognised at the beginning of the financial year, payment of rates is received in instalments throughout the financial year with the first instalment due on the 28 September 2018. The remainder rates income budget is for rates prepayments, mining rates and growth in rateable properties.

Total Expenses are 8.86% of the annual budget for the financial year. The major expenses recognised to date include the 2018/19 Valuations charges for the valuations of rateable properties and Waste Transfer Station costs from City of Darwin for the use of Shoal Bay.

Overall, the 2018/19 budget result remains the forecast to date with no adjustments identified at this point in time.

Finance Report

July 2018

**LITCHFIELD
COUNCIL**



Community effort is essential

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SECTION 1

CONSOLIDATED FINANCIAL STATEMENTS

The consolidated Financial Statements, including Thorak Regional Cemetery operations, are presented in the same format as the full set of *End of Financial Year Statements*, reported in Litchfield Council's Annual Report, for greater transparency.

The statements include total revenue, both operational and capital but only operational expenditure. Capital expenditure is capitalised as Infrastructure, Property, Plant & Equipment in the Balance Sheet upon completion of the projects.

CONSOLIDATED OPERATING STATEMENT

	2018/19 Budget	2018/19 Actual	2018/19 Forecast	Forecast Variance +ve (-ve)	Note
REVENUE					
Rates	10,243,216	9,416,288	10,243,216	0	
Statutory Charges	70,250	4,517	70,250	0	
User Charges	1,143,033	180,191	1,143,033	0	
Grants, subsidies & contributions	6,522,099	36,648	6,522,099	0	
Investment Income	686,250	63,220	686,250	0	
Reimbursements	0	0	0	0	
Other Income	60,000	330	60,330	0	
TOTAL REVENUE	18,724,848	9,701,194	18,724,848	0	
EXPENSES					
Employee Costs	6,121,026	446,960	6,121,026	0	
Auditor Fees	36,600	0	36,600	0	
Bad and doubtful Debts	0	0	0	0	
Elected Member Expenses	241,311	32	241,311	0	
Election Expenses	0	0	0	0	
Cemetery Operations	300,200	18,151	300,200	0	
Contractors	4,195,620	116,527	4,195,620	0	
Energy	235,200	19,643	235,200	0	
Insurance	190,500	0	190,500	0	
Maintenance	677,500	27,708	677,500	0	
Legal Expenses	143,000	3,409	143,000	0	
Donations and Community Support	117,250	8,058	117,250	0	
Computer / IT Costs	358,025	28,055	358,025	0	
Parts, accessories & consumables	263,000	1,966	263,000	0	
Professional Services	491,870	177,613	491,870	0	
Sundry	441,185	61,793	441,185	0	
TOTAL EXPENSES	13,812,287	959,885	13,812,287	0	
RESULT	4,912,561	8,741,309	4,912,561	0	

CONSOLIDATED BALANCE SHEET at 31 July 2018

The 30 June 2018 results are preliminary results as at the end of June, the end-of-year processing is on-going and yet to be finalised along with the accounts that are currently being audited. The final results for the 2017/18 Financial Year will be finalised and presented to Council in the Annual Report prior to the 15 November 2018.

	30 June 2018	31 July 2018	Movement +ve (-ve)
CURRENT ASSETS			
Cash & Cash Equivalents	2,215,070	1,037,033	(1,178,037)
Trade and Other Receivables	1,665,149	11,649,413	9,984,264
Other Financial Assets	20,586,716	20,045,228	(541,488)
TOTAL CURRENT ASSETS	24,466,935	32,731,674	8,264,739
NON CURRENT ASSETS			
Infrastructure, Property, Plant & Equipment	254,413,482	253,017,675	(1,395,807)
Other Non-Current Assets	7,294,461	8,087,353	792,892
TOTAL NON CURRENT ASSETS	261,707,943	261,105,028	(602,915)
TOTAL ASSETS	286,174,878	293,836,702	7,661,824
CURRENT LIABILITIES			
Trade and Other Payables	1,037,779	1,161,052	(123,273)
Provisions	567,717	634,596	(66,879)
TOTAL CURRENT LIABILITIES	1,605,496	1,795,648	(190,152)
NON CURRENT LIABILITIES			
Provisions	432,846	422,435	10,411
TOTAL NON CURRENT LIABILITIES	432,846	422,435	10,411
TOTAL LIABILITIES	2,038,342	2,218,083	(179,741)
NET ASSETS	284,136,536	291,618,619	7,482,083
EQUITY			
Accumulated Surplus	19,072,171	26,554,254	7,482,083
Asset Revaluation Reserve	243,311,730	243,311,730	-
Other Reserves	21,752,635	21,752,635	-
TOTAL EQUITY	284,136,536	291,618,619	7,482,083

Balance Sheet balances as per 30 June 2018 are not final and audited at time of this report.

Cash and cash equivalents have reduced by \$1,178,037 due to payment of outstanding invoices from contractors and suppliers.

Other Financial Assets have decreased by \$541,488 from 30 June 2018 due to term deposits being paid out for payment of contractor invoices.

Trade and Other Receivables have increased by \$9,984,264 from 30 June 2018 due to the levying of 2018/19 Rates and Charges on all rateable properties.

Infrastructure, Property, Plant & Equipment has decreased due to depreciation recognised to date.

Other Non-Current Assets represent the projects that remain work in progress as at 30 June 2018 ie. Anzac Parade Infrastructure Upgrade, Freds Pass Reserve Capital Improvements and Freds Pass Road Infrastructure Upgrade as well as the capital projects commenced in the 2017/18 financial years and not finalised.

Estimate of Net Cash position and Current ratio

The current ratio measures the liquidity of an entity. It observes the ability to pay short-term liabilities (debt and payables) with its short-term assets (cash and receivables). If the ratio is less than 1:1 Council is unable to pay its liabilities. Best practice is for the ratio to be between 1.5 and 3.

As identified in Section 5 of this report, Litchfield Council's liquidity KPI is easily met with 31 July 2018 current ratio equalling 18.23.

$$\begin{aligned}
 \text{Current ratio} &= \frac{\text{Current Assets (less: Provision for Doubtful debt)}}{\text{Current Liabilities}} \\
 &= \frac{32,731,674}{1,795,648} = 18.23
 \end{aligned}$$

$$\text{Net Cash Position} = 32,731,674 - 1,795,648 = \$31 \text{ million}$$

SECTION 2

OPERATING POSITION BY DEPARTMENT

The 2018/19 rates and charges have been applied to properties and recognised in Council's accounts, which is reflected in both Finance and Waste Management year to date revenue totals.

Overall expenditures year to date are 8.9% of the annual budget. As some operational expenditures are not evenly spread across the financial year, with major operational road maintenance expenditure to occur close to the end of the financial year.

	2018/19 YTD Budget	2018/19 YTD Actual	2018/19 Annual Budget	2018/19 Annual Forecast	Forecast Variance +ve (-ve)
REVENUE					
Finance	6,723,040	6,693,070	8,472,205	8,472,205	0
Works	734,466	202	2,583,776	2,583,776	0
Planning	4,319	30,375	51,836	51,836	0
Waste Management	2,856,973	2,863,477	3,048,423	3,048,423	0
Community	6,834	10,223	82,000	82,000	0
Regulatory Services	2,730	5,017	70,750	70,750	0
TOTAL REVENUE	10,328,362	9,602,364	14,308,990	14,308,990	0
EXPENSES					
Council Leadership	204,194	97,486	940,231	940,231	0
Corporate	41,359	38,772	420,335	420,335	0
Information Services	55,388	23,786	509,486	509,486	0
Finance	369,133	125,414	1,523,732	1,523,732	0
Works	340,569	239,853	3,101,389	3,101,389	0
Planning	59,315	44,619	688,273	688,273	0
Waste Management	245,950	175,301	2,765,452	2,765,452	0
Community	290,387	26,882	1,428,995	1,428,995	0
Mobile Workforce	95,782	112,278	1,249,031	1,249,031	0
Regulatory Services	34,135	16,821	364,614	364,614	0
TOTAL EXPENSES	1,736,212	901,212	12,991,538	12,991,538	0
OPERATING RESULT	8,592,150	8,701,152	1,317,452	1,317,452	0

Explanations for YTD Actual variances to YTD Budget

The variances evident between YTD Budget and YTD Actuals are as a result of the following:

REVENUE











- Federal Assistance quarterly instalments for Roads and Finance are now expected to be received in August 2018
- Increase in subdivision fees
- Slight increases in various other income for the month of July 2018.


EXPENSES

- Overall, timing of some expenditure costs varies to budget.
- Invoices for Insurance Premiums are delayed due to the LGANT Scheme being implemented
- First quarter of Recreation Reserve payments invoiced in early August

NEW INITIATIVES

In addition to Council's year-on-year operating expenses Council resolved to undertake the following New Initiatives in 2018/19. The new initiatives expenditure is included in the operating result above. The table below highlights the expenditure compared to budget to the end of July 2018.

	2018/19 Budget	2018/19 Actuals	2018/19 Forecast	Comments	
<u>2016/17 and beyond</u>					
Developer Contribution Plan Review	60,000	0	60,000	Review in progress	
TOTAL	60,000	0	60,000		
<u>2018/19</u>					
Online Demographic and Economic Information Products	12,000	0	12,000	Not yet commenced	
Aerial Photography for Geographical Information System (GIS)	30,000	0	30,000	Under Investigation	
New GIS for Council	20,000	0	20,000	Not yet commenced	
ICT Plan – UPS for Servers	5,000	0	5,000	Under Investigation	
ICT Plan – Vmware Sphere	8,000	0	8,000	Not yet commenced	
Trainee Customer Service Officer	15,000	0	15,000	Information collected on Training Partners	
Tree Risk Management Plan	30,000	0	30,000	Not yet commenced	
Aquatic Feasibility Study	50,000	0	50,000	Lobbying NT Government for funding to undertake project	
Waste Transfer Station – Signage (Waste Strategy)	6,500	0	6,500	Not yet commenced	
TOTAL	176,500	0	176,500		

 - On Budget

 - Watch Budget

 - Outside Budget

CAPITAL BUDGET POSITION

The table below compares capital revenue and expenditure to budget to the end of July 2018.

	2018/19 Budget	2018/19 Actuals	2018/19 Forecast	Forecast Variance +ve (-ve)	Note
REVENUE					
Works	3,436,877	0	3,436,877	0	
Planning	60,353	28,339	60,353	0	
Mobile Workforce	60,000	0	60,000	0	
Community	81,181	0	81,181	0	
TOTAL REVENUE	3,638,411	28,339	3,638,411	0	
EXPENSES					
Works	5,767,345	41,930	5,767,345	0	
Waste Mgt	204,677	0	204,677	0	
Mobile Workforce	188,000	0	188,000	0	
Community	411,181	2,425	480,422	69,241	1
TOTAL EXPENSES	6,571,203	44,355	6,640,444	69,241	
CAPITAL RESULT	(2,932,792)	(16,016)	(3,002,033)	(69,241)	

Explanations for Forecast variances to Original Budget












Note 1 - Grant expenditure for funding received at the end of 2017/18 for:


- Humpty Doo Village Green Furniture & Fittings Upgrade totalling \$33,824
- Council Office Solar System Installation remaining for 2018/19 is \$28,625
- Howard Park Reserve Irrigation upgrade remaining for 2018/19 is \$6,792.

CAPITAL PROJECTS 2018/19 – WORKS

The table below summarises Council's capital works program for the 2018/19 financial year in accordance with the budget and Municipal Plan. Council is continuing to work towards completing projects from 2017/18 financial year.

The Northern Territory Government has allowed the transfer of excess monies between Freds Pass Road Funding and Finn Road Funding totalling \$420,038.

Infrastructure Expenditure	Estimated Date of Completion	Budget	YTD Actuals	Forecast	Forecast Variance +ve (-ve)	Comment
Projects carried forward from previous years						
Freds Pass Road Upgrade	30/09/2018	1,220,500	125,275	800,462	(420,038)	 Projected commenced
Finn Road Upgrade	31/12/2018	1,500,000	96,954	1,920,038	420,038	 Tender to be awarded – August 2018 Council Meeting
TOTAL		2,720,500	222,229	2,720,500	0	
Projects commencing in 2018/19						
Road Reseal Program	31/12/2018	1,000,045	0	1,000,045	0	 Yet to commence
Re-sheeting of Roads	30/04/2018	400,000	0	400,000	0	 Yet to commence
Freds Pass Road Drainage Upgrade (BlackSpot)	30/06/2019	478,000	0	478,000	0	 Yet to commence
Safety Rails – Leonino Road	30/06/2019	90,000	0	90,000	0	 Yet to commence
Safety Rails – Hicks Road	30/06/2019	90,000	0	90,000	0	 Yet to commence
Carruth Road Line-marking	30/06/2019	30,000	0	30,000	0	 Yet to commence
Oxford Road – Sealing	30/06/2019	400,000	0	400,000	0	 Yet to commence
Pavement repairs – Whitewood Road	30/06/2019	427,000	0	427,000	0	 Yet to commence
Installation of Culverts on Pioneer Drv / Beddington Rd Intersection	30/06/2019	310,000	0	310,000	0	 Yet to commence
TOTAL		3,225,045	0	3,225,045	0	






 - On Budget


 - Watch Budget

 - Outside Budget


CAPITAL PROJECTS 2018/19 – RECREATION RESERVES

The table below is Council's capital projects for Recreation Reserves still in progress from the 2016/17 and 2017/18 financial years in accordance with the Budget and Municipal Plan.

Recreation Reserve Expenditure	Estimated Date of Completion	Budget	YTD Actuals	Forecast	Forecast Variance +ve (-ve)	Comment
Projects commenced in 2016/17, 2017/18 and 2018/19						
Howard Park Reserve – Irrigation Upgrade	31/12/2018	<u>2017/18</u> 20,000	13,208	20,000	-	 Special Purpose Grant – awaiting final invoice
Howard Park Reserve – Playground Upgrade	No Funding	81,181	0	81,181	-	 Special Purpose Grant application unsuccessful, Seek other funding options
Howard Park Reserve – Kitchen Upgrade	31/12/2018	30,000	0	30,000	-	 Quotations being sought
Humpty Doo Village Green – Furniture Upgrade	31/12/2018	0	0	33,824	33,824	 Quotations sought, work scheduled
FPR – Improvements	30/11/2018	<u>2016/17</u> 3,000,000	2,536,175	3,000,000	-	 In Progress
TOTAL		3,131,181	2,549,383	3,165,005	33,824	

 - On Budget

 - Watch Budget

 - Outside Budget

SECTION 3

CASH ON HAND & INVESTMENTS

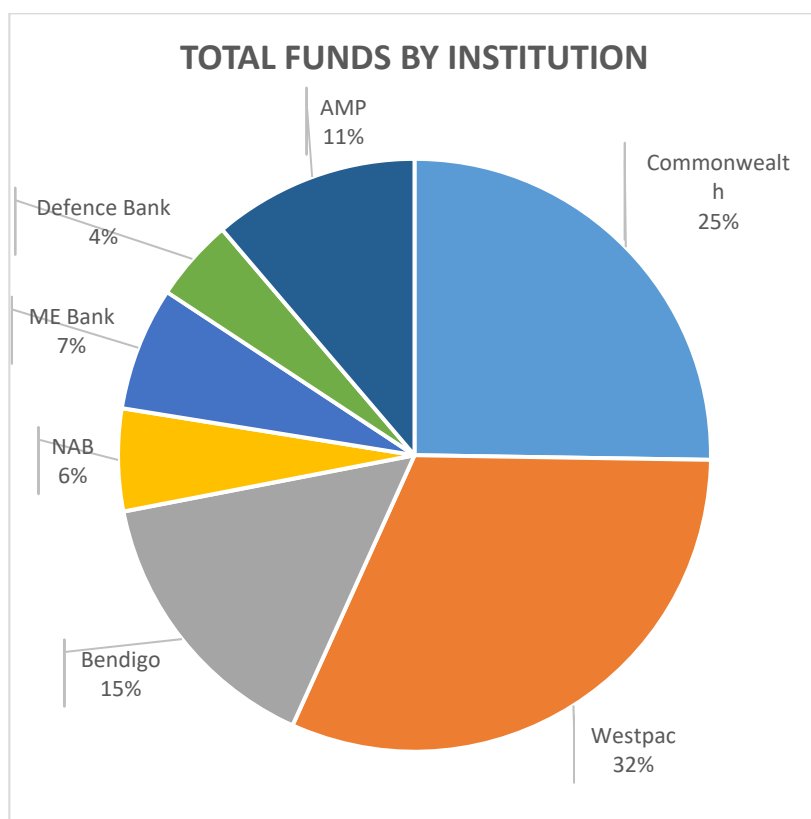
The table below represents a summary of the Cash on Hand & Investments held by Council at 31 July 2018 and compares the balance to the balance at 30 June 2018.

	30 JUNE 2018	31 JULY 2018	VARIANCE	COMMENT
Investments (Incl. Trust Account)	20,242,798	19,700,506	(542,292)	Additional funds needed for creditor payments
Business Maxi Account	351,709	852,186	500,477	Additional funds transferred from investment maturity
Operating Account	1,853,404	168,478	(1,684,926)	Monthly expenditure
TOTAL	22,447,911	20,721,170	1,726,741	

Investments

Council invests cash from its operational and business maxi accounts to ensure Council is receiving the best return on its cash holdings.

Date Invested	Invested Amount	Days Invested	Invested with	Interest Rate	Due Date	Expected return to Maturity Date
17/08/2017	1,550,000	365	Westpac	2.66%	17/08/2018	41,230
26/08/2017	1,030,296	365	CBA	2.60%	26/08/2018	26,788
07/09/2017	1,044,927	365	CBA	2.57%	07/09/2018	26,855
21/09/2017	1,545,000	365	CBA	2.61%	21/09/2018	40,325
28/09/2017	1,000,000	365	CBA	2.62%	28/09/2018	26,200
12/04/2018	1,500,000	182	ME Bank	2.70%	11/10/2018	20,195
30/11/2017	1,019,447	365	Westpac	2.64%	30/11/2018	26,913
15/06/2018	1,541,885	180	Bendigo	2.80%	12/12/2018	21,291
04/12/2017	1,226,128	365	Westpac	2.64%	04/12/2018	32,370
25/06/2018	242,823	182	NAB	2.81%	24/12/2018	3,402
27/06/2018	1,000,000	203	NAB	2.81%	16/01/2019	15,628
08/02/2018	1,000,000	365	CBA	2.64%	08/02/2019	26,400
17/07/2018	1,000,000	217	AMP	2.85%	19/02/2019	16,944
28/06/2018	1,500,000	252	AMP	2.93%	07/03/2019	30,344
19/03/2018	1,000,000	365	Westpac	2.70%	19/03/2019	27,000
31/05/2018	1,000,000	365	Defence Bank	2.85%	31/05/2019	28,500
25/06/2018	1,500,000	365	Bendigo	2.80%	25/06/2019	42,000
TOTAL INVESTMENTS	19,700,506					452,385



FINANCIAL RESERVES

The opening balance results are preliminary results as at the end of June, the end-of-year processing is ongoing and yet to be finalised along with the accounts that are currently being audited. The final results for the 2017/18 Financial Year will be finalised and presented to Council in the Annual Report prior to the 15 November 2018.

Changes made to the FIN04 Financial Reserves policy have now been reflected in the reserve balances.

	Balance at 1 July 2018	Transfer TO	Transfer FROM	Net Movement	Balance at 30 June 2019
Externally Restricted Reserves					
Developer Contribution Reserve	939,362	60,353	(80,882)	(20,529)	918,833
Unexpended Grants and Contributions	4,617,125	-	(4,392,125)	(4,392,125)	225,000
Internally Restricted Asset Related Reserves					
Asset Reserve	10,922,989	-	(1,102,105)	(1,102,105)	9,820,884
Internally Restricted Other Reserves					
Waste Management Reserve	4,300,759	289,471	(211,177)	78,294	4,379,053
Election Reserve	100,000	-	-	-	100,000
Disaster Recovery Reserve	-	-	-	-	-
Strategic Initiatives Reserve	500,000	-	(90,000)	(90,000)	410,000
TOTAL	21,380,235	349,824	(5,876,289)	(5,526,465)	15,853,770

SECTION 4

DEBTORS

SUNDRY DEBTORS

Total Sundry Debtors at 31 July 2018 are \$347,338 compared to \$140,213 at 30 June 2018, an increase of \$207,125 due to subdivision fees invoiced to a developer and awaiting payment.

Category	Current	30 Days	60 Days	90 Days and over	Balance
Waste	\$1,975	\$447	\$391	\$1,462	\$4,275
Infrastructure	\$218,864	\$110,155	\$0	\$11,796	\$340,815
Recreation Reserves	\$1,483	\$375	\$250	\$140	\$2,248
TOTAL	\$222,322	\$110,977	\$641	\$13,398	\$347,338
% of total sundry debtors	64.0%	32.0%	0.2%	3.8%	

Action summary of 90 Days Debtors:

Company under Administration – further advice regarding payment status to be received from Administrators (Allowance for Doubtful Debts is recognised)	\$5,907
Debtor sent to Debt Collectors	\$2,301
Debtor on Payment Plan	\$1,188
No permit provided, until payment is received	\$2,400
Company under Administration	\$1,462
Statement Re-sent	\$90
Statement Re-sent	\$50
TOTAL	\$13,398

Please note, Sundry debtors exclude rate debtors and infringements.

FINES AND INFRINGEMENTS

At 31 July 2018 Council has 70 infringements outstanding with a balance of \$27,570 an increase of \$437 in outstanding infringements compared to 30 June 2018 due increase in infringements issued.

	June 2018	July 2018
Number of Infringements outstanding	76	70
Balance of Infringements outstanding	\$27,133	\$27,570

Sixty (60) infringements have been sent to the Fines Recovery Unit (FRU), four (4) have received reminder notices and six (6) infringements have been issued recently.

All infringement courtesy letters have been sent in accordance with Council's policy.

OUTSTANDING RATES

Council's Debt Recovery Policy FIN05 guides the collection of outstanding rates. Recovery of rates continues to be an area of focus with Council's performance in recovering outstanding rates improving each month. Council continues to use the services of the current Debt Collector for rate assessments presently placed with them. However, Council have contracted a second debt collector to commence collection of overdue rates on selected rate assessments to reduce debt appropriately. Rates in arrears have reduced by \$96,256 in the month of July.

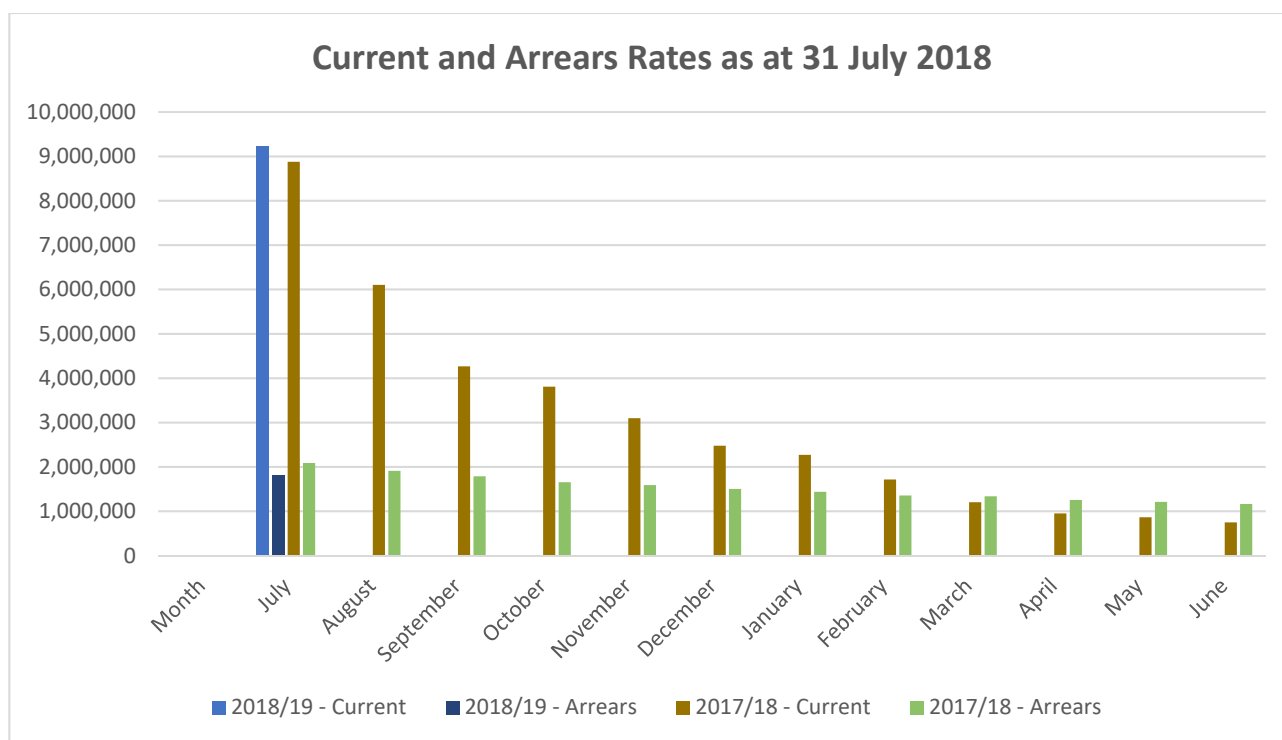
The below table illustrates the split of prior years' outstanding rates:

	BEGINNING OF 2018 (30 JUNE 2018)	CURRENT MONTH (JULY 2018)	VARIANCE
COMMERCIAL	\$50,725	\$35,083	\$15,642
MINING	\$65,629	\$66,260	(\$631)
NON-RATEABLE MINING	\$0	\$0	\$0
NON-RATEABLE WASTE	\$19,666	\$19,507	\$159
RURAL RESIDENTIAL	\$1,688,116	\$1,607,068	\$81,048
URBAN RESIDENTIAL	\$86,445	\$86,407	\$38
TOTAL	\$1,910,581	\$1,814,325	\$96,256

The below table illustrates the split of current year outstanding rates:

	CURRENT MONTH (JULY 2018)	DUE DATES
INSTALMENT 1	\$2,971,242	28 September 2018
INSTALMENT 2	\$3,099,302	30 November 2018
INSTALMENT 3	\$3,166,378	28 February 2019
TOTAL	\$9,236,922	









The graph below tracks the total rates owing for the 2018/19 financial year by month and compares outstanding rates to the same time in the previous financial year 2017/18.






SECTION 5

FINANCE KEY PERFORMANCE INDICATORS (KPI)

Council's 2018/19 Municipal Plan includes a number of KPI's for the Finance area to meet; these are listed and reported on in the table below.

Key Performance Indicator	Target	Status	Comment
Compliance with management, statutory and regulatory budgeting and reporting	100%		All budgeting and reporting are compliant to date
Monthly and annual financial reporting, including audit	Unqualified audit		Interim Management Letter received to date only highlighted 7 low risk items.
Current years rates outstanding as at 30 June 2018	<15%		Cannot be calculated yet as rates are raised, not yet due.
Rates coverage ratio – lowering Council's dependency on government grants and other funding sources.	>50%		Forecast coverage ratio is currently at 54.7%.
Liquidity ratio	>1:1		18.23:1 as at 31/07/2018
Current Ratio	>1		18.23 as at 31/07/2018
Debt Service Ratio	>1		Forecast is 0%
Asset sustainability ratio	60%		Forecast currently is 40%

-  KPI met
-  KPI in progress, on track
-  KPI not met

SECTION 6

CREDITORS PAID

Creditor accounts paid in July 2018 are listed in below.

Cheque No.	Chq Date	Payee	Description	Amount
Payroll 1	4/07/2018	LC Staff	Payroll Fortnight ending 4 July 2018	141,007.46
Payroll 2	18/07/2018	LC Staff	Payroll Fortnight ending 18 July 2018	159,602.90
857.1403-01	17/07/2018	AMP BANK LIMITED	Term Deposit - Maturity Date 19 Feb 19	1,000,000.00
859.47-01	26/07/2018	FULTON HOGAN INDUSTRIES PTY LTD	RFT 17 - 154 – Final Progress Claim for Road Reseal -2017/18	769,482.74
855.930-01	5/07/2018	COLEMAN'S CONTRACTING & EARTHMOVING	RFT-119 - Widening of Sunter Road 50mm	106,495.00
856.374-01	12/07/2018	AUSTRALIAN TAXATION OFFICE (ATO)	PAYG Withheld	76,791.00
855.409-01	5/07/2018	F & J BITUMEN SERVICES PTY LTD	RFT 127 - Pothole and Edge patching along numerous roads	75,135.40
859.827-01	26/07/2018	LITCHFIELD GREEN WASTE RECYCLERS	Grind Greenwaste and Woodwaste at Humpty	54,014.00
859.374-01	26/07/2018	AUSTRALIAN TAXATION OFFICE (ATO)	PAYG Withheld CYC 1 Pay 2, CYC 2 Pay 2 (1	46,268.00
DD300718	31/07/2018	STATEWIDE SUPERANNUATION PTY LTD	July 18 - Super for pays 1 & 2	44,557.37
858.409-01	18/07/2018	F & J BITUMEN SERVICES PTY LTD	Sunter Road – Prime, Bitumen Seal and Traffic Control	43,003.10
859.280-01	26/07/2018	CITY OF DARWIN	June 18 - Shoal Bay Charges 20/06-21/06/18	42,922.40
855.1396-01	5/07/2018	CSE CROSSCOM PTY LTD (t/a Comm8)	For the repair and replacement of the Microwave link at Thorak Reserve + LCO	39,683.60
856.971-01	12/07/2018	MUGAVIN CONTRACTING PTY LTD	Quote #239 - Byers Rd - Drop Structure -	31,970.00
858.514-01	18/07/2018	VEOLIA ENVIRONMENTAL SERVICES	APR 18 - transport waste from Howard Springs WTS	31,231.09
855.971-01	5/07/2018	MUGAVIN CONTRACTING PTY LTD	Drainage and Drop Structure works top numerous roads	27,330.00
856.409-01	12/07/2018	F & J BITUMEN SERVICES PTY LTD	EDGE PATCHING FOR VARIOUS ROADS	26,429.10
856.930-01	12/07/2018	COLEMAN'S CONTRACTING & EARTHMOVING	Maintenance Grades and Maintenance of Numerous Roads	23,891.90
859.514-01	26/07/2018	VEOLIA ENVIRONMENTAL SERVICES	JUN 18 Trans Waste to Shoal Bay from Berry Springs WTS	22,596.12
855.664-01	5/07/2018	Pitney Bowes Australia Pty Ltd	Exponare (mapping program) - 3rd yearly	19,268.70
859.1309-01	26/07/2018	BANG THE TABLE PTY LTD	Annual Subscription for Engagement HQ	17,050.00
856.414-01	12/07/2018	TOTAL EXCAVATIONS	Quote: 582 - Shewring Road - Repair	16,049.00
855.414-01	5/07/2018	TOTAL EXCAVATIONS	Quote 574 Lot 105 Gulnare Rd Repair	15,441.80
859.849-01	26/07/2018	WEX AUSTRALIA (PUMA CARD)	30 JUN 18 Litchfield Council Fuel	14,633.20
859.1413-01	26/07/2018	McCLELLAND INDUSTRIES PTY LTD	Lease of premises – MWF Shed	14,534.80
859.1253-01	26/07/2018	CRAIG BURGDORF	Fix starting problem on Hyundai Loader	14,279.36
859.187-01	26/07/2018	NORSIGN	RFT-125 - 500 steel flex guide posts	13,993.10
856.1398-01	12/07/2018	MERIT CHARTERED ACCOUNTANTS	Progress fee for 2017/18 Annual Audit of Litchfield Council's Accounts	13,200.00
856.176-01	12/07/2018	ASAP TREE SERVICE	Quote: 3610 100 Fitzgerald Road Howard	12,650.00
856.162-01	12/07/2018	CIVICA PTY LTD	Authority Program - Licence Fee - July	12,481.28
855.988-01	5/07/2018	FENCE MASTERS (NT) PTY LTD	Thorak - Supply and complete fencing rep	9,921.00
858.1388-01	18/07/2018	COUNTRY SOLAR NT	Supply and commissioning of a 53kWp DC	9,800.00

Cheque No.	Chq Date	Payee	Description	Amount
855.324-01	5/07/2018	CLOUSTON ASSOCIATES (AUST.) PTY LTD	Mira Square - Master Plan, Mira Square -	8,932.00
855.1065-01	5/07/2018	MRS M H BREDHAUER	June 18 - Mayor Allowances	7,747.71
859.165-01	26/07/2018	THINK WATER	Water Fittings for H/Doo WTS RE: PO 1386	7,714.63
855.1300-01	5/07/2018	Opteon Property Group Pty Ltd	Revaluation of Council Assets for 2017/18	7,040.00
855.1099-01	5/07/2018	DAVE'S MINI DIGGA HIRE	Quote: 818 - Trippe Rd/Cross Rd Humpty	6,875.00
859.1099-01	26/07/2018	DAVE'S MINI DIGGA HIRE	Quote: 824 - Humpty Doo Golf Club - entry	6,490.00
858.827-01	18/07/2018	LITCHFIELD GREEN WASTE RECYCLERS	Excavator Hire @ Howard Springs Waste Transfer	6,377.25
858.183-01	18/07/2018	CHRIS'S BACKHOE HIRE PTY LTD	Thorak - Pre-digging of graves 13.06.201	6,292.00
855.612-01	5/07/2018	CREMASCO CIVIL PTY LTD	Fabricate and install steel grate at bot	6,047.80
858.31-01	18/07/2018	TOP END SIGN SALES	Supply 12 alu-panel commingled signs	5,659.50
858.192-01	18/07/2018	MAGIQ SOFTWARE (X INFOXPERT)	MAGIQ DOCUMENTS	5,412.00
858.414-01	18/07/2018	TOTAL EXCAVATIONS	Quote 577 Thomsen Rd, Cut Drains	5,291.00
855.992-01	5/07/2018	WEST ARNHEM REGIONAL COUNCIL	Records Management Improvement Project	5,052.74
859.971-01	26/07/2018	MUGAVIN CONTRACTING PTY LTD	Quote 252 - Howard Spring WTS - mobilise	5,050.00
858.1099-01	18/07/2018	DAVE'S MINI DIGGA HIRE	Quote # 00000820 - Strangways Rd	4,895.00
859.414-01	26/07/2018	TOTAL EXCAVATIONS	Quote 585 - Morgan Rd - Remove logs	4,818.00
859.596-01	26/07/2018	AREA9 IT SOLUTIONS - HARDWARE	Cisco Router - New purchase	4,725.71
858.850-01	18/07/2018	HUMPTY DOO DEVELOPMENTS PTY LTD	MWF shed lease 36 Vereker St – August	4,570.00
855.144-01	5/07/2018	ORIGIN	Thorak - Gas charges for top-up on 15 June 2018	4,203.00
856.170-01	12/07/2018	NT RECYCLING SOLUTIONS (NTRS)	June 18 - Berry Springs WTS	4,152.50
859.144-01	26/07/2018	ORIGIN	Thorak - Gas charges for July 2018	3,815.00
858.596-01	18/07/2018	AREA9 IT SOLUTIONS - HARDWARE	Litchfield Council initiative – Backup	3,715.80
859.180-01	26/07/2018	AURECON AUSTRALIA P/L	Contribution Plan Review (Project 253605)	3,474.08
859.1053-01	26/07/2018	CSG BUSINESS SOLUTIONS PTY LTD	June Monthly rental – Photocopier and Staple Cartridge for Finance Printer	3,296.07
855.1253-01	5/07/2018	CRAIG BURGDORF	500 hr service on Hyundai loader	3,223.05
855.953-01	5/07/2018	HWL EBSWORTH LAWYERS	Services for the Litchfield Council - Reserve Leases	3,147.10
859.31-01	26/07/2018	TOP END SIGN SALES	Magnetic Cardboard signs	2,970.00
855.282-01	5/07/2018	Ecoflex NT Pty Ltd (Top End Tyre)	Tyres picked up and removed from sit	2,840.38
856.1329-01	12/07/2018	Arafura Traffic Control	Traffic Control on 28/05/2018 – Cartonena St, Howard Springs	2,607.00
858.1088-01	18/07/2018	TALENT PROPELLER	Skills Testing for candidates - Admin Assistant	2,471.26
859.85-01	26/07/2018	TELSTRA	June 2018 - Litchfield Council Phone Account	2,469.84
859.988-01	26/07/2018	FENCE MASTERS (NT) PTY LTD	Fix fence holes and some work on mast	2,376.00
855.1290-01	5/07/2018	Matchez Superannuation Fund (M Salter)	Back Claims of Internet expenses and Additional Meetings Allowances	2,357.05
856.78-01	12/07/2018	POWER & WATER CORPORATION	Council Office Water bill - May - June 18	2,312.91
856.132-01	12/07/2018	AIRPOWER NT PTY LTD	Service and repair radiator	2,255.50
855.1064-01	5/07/2018	MRS C M SIMPSON	June 18 - Councillor Allowances	2,247.05
855.956-01	5/07/2018	IRONWOOD CONSULTING	Variation to RFQ16-138 Project Management	2,227.50

Cheque No.	Chq Date	Payee	Description	Amount
855.1373-01	5/07/2018	CAMS LANDSCAPING AND LANDCARE	Replacement of battery control for area	2,178.12
855.1063-01	5/07/2018	Miss K J HUNT	June 18 - Deputy Mayor Allowances	2,163.50
855.1391-01	5/07/2018	LEAVING LIGHTLY PTY LTD	Thorak - Iluka Burial Capsules	2,134.35
855.770-01	5/07/2018	HAYS SPECIALIST RECRUITMENT (AUST.)	James Rogers - HR hours week ending 24 June 2018	2,074.55
855.1113-01	5/07/2018	GRAPHICS'LL DO (LEONIE RICHARDS)	Works to date on concept and design for road tourism sign	2,046.00
859.770-01	26/07/2018	HAYS SPECIALIST RECRUITMENT (AUST.)	James Rogers - HR hours week ending 15 July 2018	1,972.36
856.770-01	12/07/2018	HAYS SPECIALIST RECRUITMENT (AUST.)	James Rogers - HR hours week ending 1 July 2018	1,920.88
858.770-01	18/07/2018	HAYS SPECIALIST RECRUITMENT (AUST.)	James Rogers - HR hours week ending 8 July 2018	1,920.88
856.1397-01	12/07/2018	CIVIL TRAIN	Training - Conduct tractor operations	1,866.00
859.806-01	26/07/2018	ZIPPY CLEANING & MAINTENANCE SERVICES	RFQ 140 - Cleaning of Litchfield Council	1,852.30
855.1329-01	5/07/2018	Arafura Traffic Control	Inv: 6689 - Traffic Controllers	1,798.50
856.384-01	12/07/2018	MS C VERNON	Consultancy Services	1,732.50
855.1068-01	5/07/2018	MR D S BARDEN	June 18 - Councillor Allowances	1,687.05
855.537-01	5/07/2018	DG & AB MAXWELL (COALFACE SOFTWARE)	2018 NT Annual Financial Statements template	1,540.00
856.1032-01	12/07/2018	INTERNATIONAL ASSOCIATION FOR PUBLIC	Director CCS - attend Engagement Essentials Training	1,540.00
856.506-01	12/07/2018	TURBO'S TYRES	2 X 18 X 9.50-8 Kenda tyre 4 X 24 X 12	1,452.00
858.1411-01	18/07/2018	MRS D M TAYLOR	Rates Refund	1,397.90
855.1076-01	5/07/2018	TDC (NT) PTY LTD - T/AS TERRITORY DEBT	Debt Recovery Fees	1,393.72
855.731-01	5/07/2018	Vocus Communications (Amcom Pty Ltd)	JUL 18 - Supply of Amcom fibre to Litchfield Council	1,329.40
858.731-01	18/07/2018	Vocus Communications (Amcom Pty Ltd)	AUG 18 - Supply of Amcom fibre to Litchfield Council	1,329.40
859.815-01	26/07/2018	JEFFRESS ADVERTISING	Parkin Road - Option 1 - Job # A111858 P	1,288.27
856.596-01	12/07/2018	AREA9 IT SOLUTIONS - HARDWARE	HP LT06 - 2.5/6.25 Data Cartridge, RE: P	1,252.02
858.1076-01	18/07/2018	TDC (NT) PTY LTD - T/AS TERRITORY DEBT	Debt Recovery Fees	1,152.25
856.1386-01	12/07/2018	MR P M THOMAS	Extend irrigation past container	1,139.00
856.111-01	12/07/2018	STICKERS AND STUFF	1000 PCS MAGNETS 210X97MM AND NEW DESIGN	1,114.00
855.512-01	5/07/2018	SELTOR SHAW PLUMBING PTY LTD	Inspect water leak - Dug up road, Fixed	1,103.73
858.249-01	18/07/2018	TERRITORY RURAL	Diesel engine oil.	1,003.48
858.86-01	18/07/2018	TIO Insurance (Allianz Aust. Insurance)	Payment of excess for Public Liability C	1,000.00
856.1023-01	12/07/2018	AUSLINE ENGINEERING	Repair Slasher rear chain skirt on SV 38	979.00
856.87-01	12/07/2018	TOP END LINEMARKERS PTY LTD	RFT- 87 - Quote No: LQ18/254 - JACOMB PL	955.00
859.1373-01	26/07/2018	CAMS LANDSCAPING AND LANDCARE	Inspection of irrigation system at Knuckey	892.87
858.1278-01	18/07/2018	Seek Limited	Seek Bulk Pack - 3 classic advertisement	858.00
858.1032-01	18/07/2018	INTERNATIONAL ASSOCIATION FOR PUBLIC	Human Resources Advisor - attend Engagement Essentials Training	770.00
855.1130-01	5/07/2018	Mair's Only Cleaning	Cleaning for Knuckey Lagoon 02 & 7/07/18	770.00
858.1130-01	18/07/2018	Mair's Only Cleaning	Cleaning for Knuckey Lagoon 16 & 20/7/18	770.00
855.596-01	5/07/2018	AREA9 IT SOLUTIONS - HARDWARE	Service Agreement Inv u/ paid 28/06/18 P	743.20
856.51-01	12/07/2018	SOUTHERN CROSS PROTECTION	Security Patrols (PO 11549 and 11548)	731.42

Cheque No.	Chq Date	Payee	Description	Amount
858.162-01	18/07/2018	CIVICA PTY LTD	Purchase of Authority Support Jan - Mar	710.33
858.581-01	18/07/2018	Food'Il Do	Catering - 9 July 2018	700.00
859.1412-01	26/07/2018	HAPPIER ENDINGS	Thorak - Transportation of Deceased - Pe	700.00
859.78-01	26/07/2018	POWER & WATER CORPORATION	June 18 Water charges for Humpty Doo Waste	660.35
855.1324-01	5/07/2018	JKW Law Practice Pty Ltd	Developer Contribution Plan and Unit Title	660.00
856.515-01	12/07/2018	JC ELECTRONIC SECURITY PTY LTD	Quote to fix Ubiquity system	614.35
859.489-01	26/07/2018	STEEL WORK STEEL	Thorak - Repairs to Hino tailgate	605.00
858.616-01	18/07/2018	PALMERSTON & RURAL PARTY HIRE	Catering equipment hire for Boosting	582.00
858.508-01	18/07/2018	EASA	1 EAP Counselling Session June 2018	580.80
858.267-01	18/07/2018	K & J BURNS ELECTRICAL & REFRIGERATION	Replace 2x trough lights in the chambers	579.26
855.436-01	5/07/2018	DELTA ELECTRICS NT PTY LTD	INV: IN200026 - REQUIRES NEW ATI TESTED	572.00
859.941-01	26/07/2018	EVERLON BRONZE	Thorak - Plaque order NT-TRC-B180601A	552.31
856.165-01	12/07/2018	THINK WATER	Various irrigation for mulch pile	541.94
855.835-01	5/07/2018	OUTBACK AUTO NT (ELECTRICS)	Ford Ranger 4x4 utility CC45FT - Works	537.80
858.522-01	18/07/2018	FARMWORLD NT PTY LTD	Clutch plates to suit superior slasher.	498.56
856.1320-01	12/07/2018	Russell Kennedy Lawyers	Legal Advice on various matters 17/18	490.05
855.690-01	5/07/2018	TOTAL HYDRAULIC CONNECTIONS (NT) PTY	Repair oil leak on control valve SV 3884	464.64
858.790-01	18/07/2018	BOBTOW TILT TRAY SERVICES	Tow green Mitsubishi Mirage hatchback	462.00
858.1023-01	18/07/2018	AUSLINE ENGINEERING	Repair kioti buggy front bin aluminium f	460.90
855.1406-01	5/07/2018	MRS L TAYLOR	Rates Refund	458.00
859.926-01	26/07/2018	JACANA ENERGY	June 18 - Power bill Howard Springs WTS	453.21
855.790-01	5/07/2018	BOBTOW TILT TRAY SERVICES	Pick up tractor from shed and deliver to	451.00
856.34-01	12/07/2018	DARWIN HUMAN RESOURCE & COMPUTER	Thorak - Word Intermediate Course 28	445.00
858.98-01	18/07/2018	ALL RURAL MECHANICAL	Rego CC08KR Toyota Hilux 60,000km Service	425.05
855.1405-01	5/07/2018	GROSEY'S CAR DETAILING	Full Detail - Holden Colorado - Director	420.00
859.612-01	26/07/2018	CREMASCO CIVIL PTY LTD	Repair slasher damaged fence, corner of	415.80
856.14-01	12/07/2018	AUSTRALIA POST	Stamps and Annual Reply-paid fee	410.60
856.616-01	12/07/2018	PALMERSTON & RURAL PARTY HIRE	Hire Equipment for Community Grants	397.00
859.1392-01	26/07/2018	AKRON GROUP PTY LTD	Inv:11319 - TRAFFIC CONTROL/ SIGNS AT FI	374.00
858.855-01	18/07/2018	TENDERLINK	Public Tender Advert - RFT18-166 Mulching	345.40
856.443-01	12/07/2018	TERRITORY UNIFORMS	2288-S/s Top x2, 20114- skirt, dressw124	332.24
855.1407-01	5/07/2018	PASPALIS FA	Months subscription - DIH incubator	324.50
858.997-01	18/07/2018	KELLEDYJONES LAWYERS	Attendance to advice on payment terms	323.40
859.1014-01	26/07/2018	RED ROO SALES & SERVICE COMPANY PTY	Wear parts – Cutter and Pilot	284.80
858.1186-01	18/07/2018	Advanced Safety Systems Australia Pty Ltd	ASSA membership WHS subscription	273.90
858.367-01	18/07/2018	BUNNINGS GROUP LIMITED	JUN 18 - Powerpass Account	269.68
856.1142-01	12/07/2018	OFFICEMAX AUSTRALIA LTD	Stationary Replenish as required	263.63
858.1396-01	18/07/2018	CSE CROSSCOM PTY LTD (t/a Comm8)	Invoice 635527 - Tracking Access - July	255.20
856.608-01	12/07/2018	HITACHI CONSTRUCTION MACHINERY	Air filters and safety radial seals and	247.19
855.1181-01	5/07/2018	Odd Job Bob	Installing paper towel and toilet roll	233.75

Cheque No.	Chq Date	Payee	Description	Amount
855.61-01	5/07/2018	GREENTHEMES INDOOR PLANT & HIRE	Indoor plant hire - Jul, Indoor plant hi	233.50
00413165	16/07/2018	LITCHFIELD COUNCIL PETTY CASH	Litchfield Council Reimburse Petty Cash	232.55
856.100-01	12/07/2018	NT PEST & WEED CONTROL	Set Rate/Mice Traps in the Compounds	230.00
855.25-01	5/07/2018	LAND TITLES OFFICE	June 2018 - Title searches From NTG - ILIS	219.20
855.85-01	5/07/2018	TELSTRA	Cemetery Phones - June 18	215.23
855.307-01	5/07/2018	RANDFLEX PTY LTD	Thorak - 1 box of urns & freight	210.54
858.560-01	18/07/2018	JOBFIT HEALTH GROUP PTY LTD	Pre-Employment Medical - Director Infrass	209.00
856.1076-01	12/07/2018	TDC (NT) PTY LTD - T/AS TERRITORY DEBT	DEBT RECOVERY FEES ON ASSESSMENT NO. 100	198.81
856.851-01	12/07/2018	OFFICEWORKS	Thorak - Stationery	195.04
858.287-01	18/07/2018	HARVEY DISTRIBUTORS	Thorak Cemetery 1 Box of Single sheets,	191.40
858.1373-01	18/07/2018	CAMS LANDSCAPING AND LANDCARE	Repairs for Howard Park irrigation	182.16
855.855-01	5/07/2018	TENDERLINK	Public notice RFT18-167 Maintenance of	172.70
859.263-01	26/07/2018	PHOENIX FOUNDRY	Thorak - 1 x Vase APA and 1 x Vase APB	156.20
856.874-01	12/07/2018	FIN BINS (VTG Waste & Recycling)	Rubbish collection at Howard Park	151.67
859.515-01	26/07/2018	JC ELECTRONIC SECURITY PTY LTD	Call out fee for Humpty Doo WTS	148.50
859.928-01	26/07/2018	RSEA PTY LTD	PPE - masks and Safety Glasses	140.91
856.55-01	12/07/2018	CHUBB FIRE & SECURITY PTY LTD	External Check of Site - 7 Bees Creek Ro	137.50
856.1015-01	12/07/2018	NEWSXPRESS HUMPTY DOO	NT Newspaper Supply - 08/04/18 to 30/06/18	137.20
855.926-01	5/07/2018	JACANA ENERGY	May 18- Electricity - MWF	130.95
855.515-01	5/07/2018	JC ELECTRONIC SECURITY PTY LTD	Initial onsite fee and labour	123.75
859.56-01	26/07/2018	COLEMANS PRINTING PTY LTD	Business Cards x 250	121.00
856.1408-01	12/07/2018	DOODZ PTY LTD	Inspect A/C on SV 3869 clean out blocked	121.00
858.187-01	18/07/2018	NORSIGN	RFT-126 -Crest Sign	117.57
855.132-01	5/07/2018	AIRPOWER NT PTY LTD	Gas strut for front deck mower forward	115.92
855.411-01	5/07/2018	KENNARDS HIRE PTY LTD	Thorak - One day Rotary hire	115.00
859.189-01	26/07/2018	HD ENTERPRISES P/L (HD PUMP SALES)	Tools and fitting required for Berry Springs WTS	113.78
00413163	4/07/2018	LITCHFIELD COUNCIL PETTY CASH	Thorak - Reimburse Petty Cash	105.50
859.1340-01	26/07/2018	THE DRUG DETECTION AGENCY	Drug Testing - 1 employee	96.25
858.876-01	18/07/2018	NT ICE	Supply 25 bags of ice for MWF shed.	82.50
856.1410-01	12/07/2018	GENIE	Cat trap	80.00
855.1344-01	5/07/2018	Prosegur Australia Pty Ltd	Collection of monies from Office Premise	71.50
856.1344-01	12/07/2018	Prosegur Australia Pty Ltd	Collection of monies from Office Premise	71.50
858.1344-01	18/07/2018	Prosegur Australia Pty Ltd	Collection of monies from Office Premise	71.50
859.1344-01	26/07/2018	PROSEGUR AUSTRALIA PTY LTD	Collection of monies from Office Premise	71.50
856.1130-01	12/07/2018	Mair's Only Cleaning	Cleaning for Knuckey Lagoon	70.00
859.1130-01	26/07/2018	MAIR'S ONLY CLEANING	Cleaning for Knuckey Lagoon 23 & 27/07/18	70.00
859.30-01	26/07/2018	TERRITORY SPRINGWATER PTY LTD	Thorak - 6 Bottled water	63.00
856.850-01	12/07/2018	HUMPTY DOO DEVELOPMENTS PTY LTD	Water bill for MWF shed.	59.91
856.1040-01	12/07/2018	SUPER CHEAP AUTO	Replacement Horns	59.37
856.994-01	12/07/2018	MR W LI	REIMBURSEMENT - FOR 18/19 PLANNING Conference	52.97
856.1245-01	12/07/2018	Rural Rubbish Removal	Rubbish removal at Knuckey Lagoon Reserve	52.80
855.928-01	5/07/2018	RSEA PTY LTD	Thorak Safety signage	45.10

Cheque No.	Chq Date	Payee	Description	Amount
858.535-01	18/07/2018	TOP END WINDSCREENS & TINTING	Thursday 18/06/2018 - 8.30am - Toyota Hilux	45.00
858.170-01	18/07/2018	NT RECYCLING SOLUTIONS (NTRS)	7 Bees Creek Rd - Empty recycle bins	44.00
858.55-01	18/07/2018	CHUBB FIRE & SECURITY PTY LTD	Invoice: 7473800 - Replace Battery on se	38.67
856.30-01	12/07/2018	TERRITORY SPRINGWATER PTY LTD	Thorak - Bottled water x 3	31.50
858.78-01	18/07/2018	POWER & WATER CORPORATION	Water for weed spraying	31.37
858.165-01	18/07/2018	THINK WATER	Howard Park Recreation Reserve Irrigation	30.06
858.1040-01	18/07/2018	SUPER CHEAP AUTO	Degreaser - carton	23.40
855.565-01	5/07/2018	CURBY'S (NT) PTY LTD	Magnetic Name Badge Acrylic Overlay	22.00
859.1133-01	26/07/2018	NT WATER FILTERS	Bottled water for foyer Council Office	20.80
856.189-01	12/07/2018	HD ENTERPRISES P/L (HD PUMP SALES)	nuts and bolts for Berry Springs WTS	19.07
858.85-01	18/07/2018	TELSTRA	SMS Text Messaging Service	5.50
TOTAL				3,186,847.99

CREDIT CARD TRANSACTIONS

Credit card transactions for July 2018 are listed in the table below.

Staff Member	Cost Code	Details	Gross (\$)	GST (\$)
Kaylene Conrick CEO	3020.330.644	Avenue Hotel - Accommodation - National General Assembly - Mayor	\$1,140.00	\$103.64
	3020.330.644	Avenue Hotel - Accommodation - National General Assembly - CEO	\$1,120.00	\$101.82
	3020.330.644	Paystay - Carparking Darwin City - CEO	\$20.00	\$ -
	3130.350.515	SD Hanton & P Hill - Catering - Executive - Council Meeting	\$37.00	\$3.36
Deborah Branson Executive Assistant	3130.350.515	Aust Post - Gift Card - Farewell Staff Member	\$100.00	\$ -
	3130.350.515	Aust Post - Gift Card - Farewell Staff Member	\$5.95	\$0.54
	3700.341.633	Coles - Catering - Community Grants Presentation	\$99.93	\$ -
			\$1.30	\$0.23
	3700.341.633	Coles - Catering - Community Grants Presentation	\$210.00	\$19.09
	WO4468	CPD Live	\$89.00	\$8.09
	3030.350.602	Facebook	\$89.84	\$8.17
	3700.341.669	Ruby Thai Restaurant - Vouchers - LWIB	\$100.00	\$ -
	3400.350.503	Planning Institute - Membership - Planning & Development Manager	\$621.00	\$56.45
	3020.340.674	Coles Express - Fuel Voucher - Community Grants	\$800.00	\$ -
	3020.340.674	WW Petrol - Fuel Voucher - Community Grants	\$200.00	\$ -
	3400.350.530	IAP2 Australia - Membership - Planning & Development Manager	\$198.00	\$18.00
	3700.341.669	Coles - Catering - LWIB Event	\$38.00	\$3.45
	3700.341.669	Mad Harry's - Incidentals - LWIB Event	\$17.70	\$1.61
	3700.341.669	Mad Harry's - Incidentals - LWIB Event	\$55.46	\$5.04
	3700.341.669	Office Works - Incidentals - LWIB Event	\$49.44	\$4.49
	3700.341.669	BSW - Catering - LWIB Event	\$280.80	\$25.53

Staff Member	Cost Code	Details	Gross (\$)	GST (\$)
	3700.341.669	Woolworths - Incidentals - LWIB Event	\$30.00	\$2.73
	3700.341.669	Woolworths - Incidentals - LWIB Event	\$10.23	\$ -
	3020.330.500	Vision 6 - Councillor Bulletin	\$9.90	\$0.90
	WO4084	Trybooking - IPAANT Seminar - CEO	\$45.30	\$ -
	3130.350.515	La Pho - Catering - Executive - Council Meeting	\$24.00	\$ -
Karina Gates	3700.310.644	Accommodation – Community Development Officer - Perth	\$454.86	\$41.36
Finance Manager	3121.350.640	Skymesh	\$83.45	\$7.59
Glen Byrnes	3410.350.515	Woolworths - Staff Amenities 25/06/18	\$15.19	\$1.38
Waste Manager	3410.350.515	Woolworths - Staff Amenities 25/06/18 - GST Free	\$12.00	\$ -
	3430.623.420	Dimet Tools - Plastic Strapping	\$68.00	\$6.18
	3410.350.515	Woolworths - Staff Amenities 29/06/18	\$5.25	\$0.48
Justin Dunning	3800.350.515	Woolworths - Staff Amenities 28/06/18	\$8.50	\$0.77
MWF Manager	3800.627.687	PB Motors - New struts	\$88.00	\$8.00
	3800.310.644	Territory Business Centre- Fork Lift Licences	\$278.00	\$25.27
	3800.350.500	Woolworths - Pegs for Fire Notices	\$2.00	\$0.18
Vicky Wellman	23000.521.576	Fuel Calibration Svcs Pressure Gauge	\$69.19	\$6.29
Thorak Manager	23000.350.640	Skymesh	\$59.95	\$5.45
	23000.305.413	Bursons Auto Parts Red Grease	\$36.43	\$3.31
Sharon Mc Taggart	4040.435.562	Bunnings - Ratchet and Pegs	\$38.00	\$3.45
Regulatory Services	4040.350.500	Officeworks - Stationary	\$58.43	\$5.31
Manager	4040.375.525	Book Depository - Moleskin Notebooks	\$29.66	\$2.70
TOTAL			\$ 6,699.76	\$ 480.87

Links with Strategic Plan

An effective and sustainable Council

Recommending Officer: **Silke Maynard, Director Community and Corporate Services**

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 15 August 2018

15 Officers Reports

- 15.1 Update on NT Government Planning Reform
 - Application for a new liquor licence for Pizza Hut at T36, T37 and T38
- 15.2 Coolalinga Central, Section 6493 (425) Stuart Highway, Coolalinga, Hundred of Bagot
- 15.3 August 2018 Summary Planning and Mining Report
- 15.4 Development of Animal Management Plan
- 15.5 RFT18-162 Finn Road Roadside Drainage Upgrade – Award
- 15.6 Supporting Partner – Territory Natural Resource Management
- 15.7 Litchfield Council Bendigo Bank 2018 Youth Forum



COUNCIL REPORT

Agenda Item Number:	15.1
Report Title:	Update on NT Government Planning Reform
Report Number:	18/0129
Meeting Date:	19/09/2018
Attachments:	Attachment A – Letter of Response to Proposed Planning Reform Attachment B – Consultation Outcomes Report Attachment C – Planning Reform Directions Paper Attachment D – Planning Reform Phase 1 Priority Reforms Attachment E – Stage 2 Consultation Fact Sheet Attachment F – Stage 2 Consultation Technical Q & A

Purpose

This report presents to Council the outcomes of the NT Government's consultation on Planning Reform and proposed Phase 1 Priority Reforms. Council is asked to endorse Attachment A as a response to the NT Government on the proposed reforms.

Summary

In November 2017, the NT Government undertook Stage 1 consultation on a discussion paper entitled "Building Confidence through Better Planning for the Northern Territory – Review, Reframe, Renew" as a first step in planning reform. Council participated in the consultation and provided comments on the planning system.

The Government has collated information received during the consultation process and has proposed a two phase reform process based on the consultation outcomes. The Government has released three new documents:

- Consultation Outcomes Report, included as Attachment B,
- Planning Reform Directions Paper, included as Attachment C, and
- Planning Reform Phase 1 Priority Reform, included as Attachment D to this report.

For Stage 2 consultation of Planning Reform, Council has been asked to review the Directions Paper and Phase 1 Priority Reform document and provide comments. Attachments E and F provide more information on Stage 2 consultation.

The documents have been reviewed in comparison to Council's original comments on the planning system and the majority of Council's comments have been acknowledged and addressed satisfactorily in the reforms. Two of Council's recommendations were acknowledged but a decision was made not to make any changes to the current planning system in that regard and there were three areas of concern for Council that do not appear to have been formally acknowledged or addressed by the proposed reform.

It is recommended that Council respond to this stage of the consultation and include acknowledgement for the areas where positive change is proposed, emphasising the areas of Council's previous comments that have not been addressed by the reforms, and querying proposed reforms that are unclear, and providing commentary where there are objections to proposed reforms.

Recommendation

THAT Council endorse Attachment A, a letter to the NT Department of Infrastructure, Planning and Logistics providing comments on Stage 2 of Planning Reform.

Background

In late 2017, the NT Government undertook Stage 1 consultation on a discussion paper entitled "Building Confidence through Better Planning for the Northern Territory – Review, Reframe, Renew" as a first step in planning reform. A variety of consultation methods were used, including individual and group meetings with key stakeholders, including Council; industry workshops; a random and representative telephone survey of 400 NT residents; a 1800 number; an online survey; accepting written submissions; and pop-up sessions at local shopping centres. Over 1,000 people were directly involved with the consultation process.

Council participated in a workshop session and provided a detailed letter of comments on the overall planning system. While Council provided a comprehensive set of comments on a variety of topics, the areas of most significance to Council that would make the biggest impact on Council's operations and the support for planning in our local community were noted as follows:

- Resolving the conflict of interest in the current process of development of Area Plans and strategic plans by the Northern Territory Planning Commission (NTPC) and the Reporting Body Hearing held by the same group.
- Developing a process internal to Development Assessment Services (DAS) that ensures all applications received and advertised have provided the minimum required information.
- Review of special circumstances and ensuring that justification of a request for a variation to the NT Planning Scheme requirements is a minimum requirement of any application.
- Incorporation of the intent of Planning Principles and background information associated with a Development Permit into Area Plans.
- Expanding the intent and purpose sections of the NT Planning Scheme clauses.
- Providing clarity of which sites can and cannot be rezoned in strategic planning documents.
- Reduction of the use of Conditions Precedent on granted Development Permits in favour of a requirement to resolve issues prior to this issuing of a Development Permit.
- Institution of maximum timeframes on decisions for Rezoning applications and Exceptional Development Permit applications.

Elton Consulting collated all information received during Stage 1 consultation and produced Attachment A, Consultation Outcomes Report. The report summarises comments received and put forward recommendations for priorities for reform in each of four key areas:

- Strategic Land Use Planning,
- Development Applications,

- Compliance and Enforcement, and
- Review of Decisions (Appeals Process).

The Government has considered the consultation outcomes and produced two Planning Reform documents: a Directions Paper and a Phase 1 Priority Reforms.

The intent of the Directions Paper, included as Attachment C, is to provide an overview of the Government's strategy to reform the planning system. It provides three overarching objectives for planning reform, describes how the reform will extend over two phases, and provides a snapshot of the proposed reforms. The three objectives are:

- Strengthen and clarify the planning framework to deliver better planning and development outcomes.
- Make the planning system more open and accountable to improve public understanding and confidence in planning decisions.
- Improve connections are with the public to better value, encourage and support community contributions to planning processes.

Phase 1 are priority reforms that consist mainly of legislative changes that are critical to the success of the remaining reforms and some administrative reforms that are reasonably simple to implement.

Phase 2 are longer term reforms that require the law or policy to be changed first and/or will require further comprehensive research and investigation to determine the most suitable outcome.

The Phase 1 Priority Reforms document details recommendations that should be undertaken in each of the four key areas noted above in the Consultation Outcomes Report. Please refer to the Phase 1 Priority Reform document included at Attachment D for the details of each recommendation.

Discussion

Overall, Council can be widely supportive of the proposed planning reforms. The majority of Council's comments provided during the consultation period are addressed by the proposed Phase 1 reforms or are proposed to be addressed in Phase 2 reforms following the required more detailed research and investigation.

It is recommended that Council provide the letter at Attachment A to the NT Government detailing the areas of agreement with the proposed reforms and the areas where Council has outstanding concerns over either items proposed for reforms or where reforms recommended previously by Council have not been addressed.

Links with Strategic Plan

Priority # 2 – A great place to live

Legislative and Policy Implications

Not applicable to this report.

Risks

The provision of comments from Council emphasises the areas of agreement with the positive changes and provides Council with an opportunity to reiterate and/or comment on areas of ongoing concern. Not providing comment could result in Council missing an opportunity to provide valuable input into potential changes that can affect residents in the municipality.

Financial Implications

Not applicable to this report.

Community Engagement

Not applicable to this report.

Recommending Officer: **Nadine Nilon, Director Infrastructure and Operations**

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.

16 August 2018

Planning Reform
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

**Submission on
Planning Reform
Directions Paper and Phase 1 Priority Reforms**

Thank you for the opportunity to provide comments on the Planning Reform documents:
Directions Paper and Phase 1 Priority Reforms.

Overall, Council supports the recommendations of the Directions Paper and for Phase 1 Priority Reforms. The majority of Council's comments provided during the Stage 1 consultation period are addressed by the proposed Phase 1 reforms or are proposed to be addressed in Phase 2 reforms following the necessary research and investigation.

The comments provided below review some of the areas of agreement with the proposed reforms, as well as areas where Council has outstanding concerns over items proposed for reforms or where reforms recommended previously by Council have not been addressed.

The comments provided focus on areas in which Council sees that improvements could be made to get the best planning outcomes for our communities.

Strategic Land Use Planning and the NT Planning Scheme

Council supports the recommendations for making more information publicly available, including providing improved guidance on interpretation of the NT Planning Scheme (NTPS) and factsheets. Council particularly supports guidelines, and would support the introduction of minimum requirements, for making a planning scheme amendment (PSA) and/or concurrent application.

Council's comments during the Stage 1 consultation highlighted a key area of concern for that the NT Planning Commission is able to propose PSAs, mostly for Area Plans, and then acts as the Reporting Body on that application. Council does not believe this process best represents an appropriate separation of duties and is disappointed that the reforms indicate this arrangement will not change. However, Council acknowledges that the proposed reform resulting in the report from the Reporting Body to the Minister being publicly available would assist in ensuring transparency and that Council and public comments are adequately conveyed to the Minister.

While this section of recommendations also indicates there should be improved coordination of information across NTPC projects, the consultation outcomes indicated that at times the community, and service authorities, experience consultation fatigue or confusion when

multiple projects are ongoing at the same time. We feel the recommendation could go farther to address this issue to ensure the best possible input from the community and service authorities by ensuring that that consultation on projects within the same communities and municipalities do no overlap as much as possible, to allow appropriate considered concentration on each individual topic.

Council supports highlighting the importance of policy, though notes that this terminology may not be readily understandable to the general public. The recommendations for revisions to the purposes of the Planning Act and NTPS are supported, as are clarification of the hierarchy of policy within the NTPS and strengthening the links between strategic planning and development assessment.

For changes to the PSA process, Council strongly supports additional guidance on items to be addressed when proposing a rezoning application and guidelines against which the Minister should consider making a decision. For this topic, Council did recommend timeframes be placed on these types of applications, rather than allowing decisions to be deferred. While the reforms propose that an applicant would potentially be given a time limit for provision of additional information requested, there are no changes proposed to the absence of a timeframe for a Minister's decision. Council continues to support the addition of a timeframe for requiring a decision on an application from the Minister, in order to provide certainty to the public around future land uses.

Since the development of Litchfield Subregional Land Use Plan, Council has been a strong advocate for coordination of land use planning, transportation planning and planning for infrastructure provision. Council strongly supports the recommendations to more closely link planning and infrastructure and would prefer that the ultimate reform includes that strategic plans are not adopted without plans in place for the infrastructure provision.

Council continues to recommend that revisions to the Planning Act and Planning Regulations allow Councils to make Developer Contributions Plans for public open space infrastructure, as well as roads, drainage, and car parking. Public open space is an essential feature of good development and a mechanism should be developed to allow this public use to be coordinated across developments as a whole; in some cases, the best mechanism for this may be to allow the NT Government, in conjunction with Council, to be able to collect funding and/or obtain land to provide quality open space that serves the region or neighbourhood as whole. For example, the recent changes to the Rural Activity Centres potentially leaves Litchfield Council in the situation of subdivision of 2 hectare lots into urban uses that would potentially result in numerous 2,000m² public open space areas when the neighbourhood as a whole would be better serviced by one larger coordinated park space; at this time, Council is unable to collect contributions toward such an arrangement.

Development Assessment and Application Processes

Council supports the improved provision of information to the public on the development application process, including both paper and online access. Council supports the recommendations for updates to sign requirements and expanding the role of electronic services. As an additional recommendation, Council supports the availability of the

Development Consent Authority (DCA) report to the public after the DCA hearing as a matter of public record.

However, Council notes that in the rural area, internet access is not always common or easily accessible and as such, we continue to support the use of the newspaper advertisements as well as electronic services.

Council further notes that in some areas there are a high percentage of renters compared to owners. Supporting improved consultation means providing contact points to both the local resident as well as the registered owner of the property, rather than solely performing a letterbox drop or contacting the titleholder.

Council supports the concept of pre-application consultation for some applications, though there are concerns about the practicality and thoroughness of requiring applicants that may have no experience in consultation to conduct adequate consultation on their project. There is the risk, that without adequate guidelines and controls, that consultation could be inappropriately biased for or against the project. The ultimate outcome of the recommendations should provide more information the type and extent of consultation expected.

While Council supports the reduction of red tape for some types of developments, Council would support neighbour notification extending to residents across the street from the subject property, rather than just adjoining boundaries, as the new development may actually affect those across the street more than adjacent residents (for example, front setback reductions more affect those looking at it every day than those adjacent).

Council does have strong objection to the recommendation for multiple dwellings in a single storey building within Zone MD to have only the newly proposed local notification. Council believes this type of development should continue to be advertised to the wider community as a whole. Developments that are single storey, particularly multiple dwellings, can often have a significant impact upon the wider streetscape as developers often maximise the site coverage and leave little green space or open space on the lot with single storey developments, thus creating expansive building massing that may negatively impact on surrounding property values and amenity.

The contact between Planning Officers and submitters on development applications, including post-exhibition and pre-determination conferences is supported, though Council feels that documentation of this process and the outcomes will become key to its success, and the requirements for documentation should be confirmed prior to the practice commencing. Council also recommends that a process be developed to ensure all submitters and service authorities receive any revised information about the development application prior to any DCA hearing on the application. Currently, there is often confusion, and a lack of opportunity to adequately comment, at a meeting when a DCA report or the applicant discusses information that is not held and commonly understood by all parties at the hearing.

Council supports ongoing training for DCA members and requirements for the chair to be legally qualified in order to best lead the DCA, as well as the continued inclusion of Council nominated members and clarification on the role of Council nominated members on the DCA.

Council could consider support for requirements for specialist members on the DCA with expertise in relevant fields, if more information was provided on this recommendation. While it is important for DCA members to understand the role of policy and the NTPS, as well as basic planning practice and role and expertise of different service authorities, it is unclear which specialist or expert fields would be required as is the level of expertise and/or experience necessary. Council is unable to comment fully on this recommendation and continues to support the nomination of community members to the DCA.

Council strongly objects to the proposal to record voting by individual DCA members in the meeting minutes. This proposal could lead to situations where members feel politically or socially obliged to make a decision rather than being able to evaluate an application on merit. Council feels that while the intent of this recommendation is to provide transparency, in reality, this recommendation could lead to politicisation of the DCA, which is undesirable.

Review of Decisions

Council supports the proposed recommendations for the review of decisions and appreciates the balance of supporting appeals versus the rights of an applicant to proceed with an approved development.

Council strongly supports amendments to the concurrent application process such that a parcel of land proposed for rezoning would not be formally rezoned until the concurrent subdivision or development is carried out on the site.

Compliance and Enforcement

In reference to compliance and enforcement, Council supports compliance with the requirements of the NTPS, NT Planning Act and consented Development Permits. Thus, Council supports stronger enforcement of these adopted bodies of work. Non-compliance with the NTPS and Development Permits can result in issues for Council in protecting and planning for our assets and providing the right services to our community. We support the community's interests in increased enforcement and rectification of non-compliances.

Increasing the enforcement powers of the DCA, revisions to penalty units, the introduction of penalty infringement notices, and clarifying the time to commence prosecution are all recommendations that are strongly supported. Recommendations around the role of Authorised Officers, deeming provisions, and liability of office holders can also be supported. Council also supports the clarification of existing use rights and the role of NTCAT in appeals.

Other Council Recommendations

In addition to the above recommendations of the Phase 1 Priority Reforms, Council wishes to reiterate for further consideration the following recommendations made by Council in Stage 1 consultation that have not been addressed by the proposed reforms.

Changes to Specific Clauses of the NTPS

Council understands that changes to specific clauses of the NTPS noted in Council's previous letter of comments may be likely to fall under Phase 2 longer-term reforms and welcomes the continued consultation with Council on those recommendations.

Non-Exhibition of Incomplete Development Applications

As an easy to implement reform, Council strongly recommends changes to the application acceptance process to ensure that incomplete Development Applications that do not meet the minimum requirements do not make it to public exhibition and/or exhibition to service authorities. When an incomplete application is provided, Council and the public are not able to make an adequate assessment of the application, the application is delayed, and the valuable resources of Development Assessment Services and service authorities are wasted.

An internal process should be developed to check whether an application has met the minimum requirements, i.e. provision of all required plans and addressing of all required NTPS clauses at a minimum and the inclusion of special circumstances against which to judge a proposed variation as a wider requirement. Of significant concern to Council is that typically when an application is determined to have missing information, the revised or additional information from the applicant is then only circulated to service agencies and not re-advertised to the general public. While this may result in a minor delay in the current advertisement period, Council considers this delay is worth the benefits of all service agencies and the public viewing a complete and relevant application on the first round.

Use of Conditions Precedent on Development Permits

Council has significant concerns over the current abundant use of Conditions Precedent on granted Development Permits. It is not unusual for a Development Permit to have several conditions that need to be satisfied prior to the development or subdivision actually being able to happen.

Council considers that in many of these instances the items delayed to Conditions Precedent are not items that can easily be resolved by minor amendments to the development but may be items that require important studies and development redesign. For typical Council-specific conditions related to stormwater drainage, traffic impacts, and driveway crossovers, the successful completion of these items determines whether or not the development can actually proceed.

As such, Council supports requiring these items prior to receipt of Development Permit. Otherwise, the receipt of the Development Permit appears to give developers potentially false hope of a viable project.

Additional Local Government Representation on the NTPC

The composition of the NTPC is currently structured so that there is only one representative from local government on the Commission. Council considers that in the NT the local government authorities have a broad range of development types – from urban development with 90m buildings, to large lot rural developments, and also remote community developments – and as such, there should be scope for additional representation to be nominated to represent relevant local government concerns with different types of development outlook.

Capturing the Intent of Area Plans through Documented Background Information

For Area Plans, the background information provided at the time of exhibition of amendment to adopt the Area Plan is often quite valuable and irreplaceable in terms of intent and description of the amendment purpose. However, it is unfortunate that this information is often not incorporated into the Planning Principles accompanying the Area Plan. If the intent is essential to how the area develops in the future, this intent should be incorporated into the text that is adopted into the NT Planning Scheme.

The department has recently developed quite detailed background documentation to the Darwin Inner Suburbs and Mid Suburbs Area Plans; this information should be, at a minimum, incorporated into the NT Planning Scheme as reference documents, so that future development can be compared against the data and intentions of the Area Plan developers.

Summary

While Council has taken the opportunity offered to provide a comprehensive set of comments on all proposed reforms, the areas of most significance to Council for the Phase 1 Priority Reforms are as follows:

- Resolving the conflict of interest in the current process of development of Area Plans and strategic plans by the Northern Territory Planning Commission (NTPC) and the Reporting Body Hearing held by the same group.
- Developing a process internal to Development Assessment Services (DAS) that ensures all applications received and advertised have provided the minimum required information.
- Incorporation of the intent of Planning Principles and background information associated with a Development Permit into Area Plans.
- Reduction of the use of Conditions Precedent on granted Development Permits in favour of a requirement to resolve issues prior to this issuing of a Development Permit.
- Institution of maximum timeframes on decisions for Rezoning applications and Exceptional Development Permit applications.
- Allowing single storey multiple dwelling developments to move from full public exhibition to only local notification.
- Proposed eventual move to full electronic advertisement and removal of newspaper advertisements.
- Proposal to record voting of individual DCA members in the DCA minutes – while the intent of this recommendation is to provide transparency, in reality, this recommendation could lead to politicisation of the DCA.

We thank you again for the opportunity to provide comments on this important process. Should you wish to discuss any items contained herein, please do not hesitate to contact me.

Yours sincerely,

Nadine Nilon
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Consultation Outcomes Report

Building Confidence through Better Planning
for the Northern Territory -
Review, Reframe, Renew

NTG Department of Infrastructure, Planning & Logistics
06 February 2018

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List of Acronyms

DA	Development Application
DAS	Development Assessment Services
DCA	Development Consent Authority
DIPL	Department of Infrastructure, Planning and Logistics
EDP	Exceptional Development Permit
EPA	Environment Protection Authority
NT	Northern Territory
NTG	Northern Territory Government
NTCAT	Northern Territory Civil and Administrative Tribunal
NTPS	Northern Territory Planning Scheme

Executive Summary

Why was Consultation Undertaken?

Since being elected in 2016, the Northern Territory Government has heard from Territorians that:

- » Planning law and policy are not delivering the best-possible built form and development outcomes.
- » They want a planning and development system that is accessible, transparent and accountable.
- » Government needs to give confidence that the right planning decisions are being made.

In response to this feedback, the Minister for Infrastructure, Planning and Logistics, the Hon Nicole Manison, MLA, announced in October 2017, that the Department of Infrastructure, Planning and Logistics would consult with the community to *review*, *reframe* and *renew* the current NT Planning System.

The discussion paper '*Building Confidence through Better Planning for the Northern Territory: Review, Reframe, Renew*' was released to support consultation, and assist in gathering ideas on the types of improvements that Territorians want delivered.

Elton Consulting was appointed to undertake independent consultation for stage 1 of the '*Building Confidence through Better Planning for the Northern Territory: Review, Reframe, Renew*' discussion paper (the Discussion Paper).

Limitations

Consultation occurred simultaneous to numerous other strategic planning projects being delivered by the Northern Territory Government. Any feedback provided during the planning reform consultation process on other policies or Plans (for example Planning for a Vibrant Future or Tennant Creek Land Use Plan) were provided directly to the Department of Infrastructure, Logistics and Planning.

A number of respondents noted consultation fatigue, due to the number of concurrent consultation processes, and limited resources to provide considered responses.

When, how and where was the Consultation Delivered?

Consultation was undertaken between mid October and mid December 2017.



The consultation process aimed for **meaningful engagement** with a **broad spectrum** of the community, ranging from those who have little-to-no experience with planning, to those who use the planning system extensively and regularly."

Consultation Tools

To achieve the objective, a wide variety of consultation tools were used, including:

- » **Direct contact** and **meetings** with key stakeholders and groups, introducing the discussion paper and inviting them to participate in consultation.
- » A random and representative **telephone survey** of 400 Northern Territory residents; aimed at providing statistically significant outcomes.
- » A dedicated **1800 number** for queries.
- » An **online survey**, providing the opportunity for all Territorians to participate.
- » Inviting **written submissions**.
- » Two **industry workshop** sessions, held in Alice Springs and Darwin.
- » One **focus group**, with participants sourced from random telephone respondents.
- » Two **Council workshop** sessions to capture focussed feedback, and involving members from virtually all local government areas in the Territory.
- » **Pop-up** community consultation sessions at local shopping centres and malls.

The telephone and online surveys indicate a proportionate involvement of the communities across the Northern Territory, as well as a broad cross section of all age groups.

Over 1,000 people within the Northern Territory were directly involved in the consultation, with additional residents reading the documents on the website.

Geographic Distribution

Consultation extended to all Territorians, with options to participate online, by telephone, by written submission. Location specific workshops or community pop-up sessions were held in various locations across Greater Darwin, Alice Springs, and Katherine.

What are the Consultation Outcomes?

The consultation process provided opportunities to review and provide comment on the planning process including, strategic planning framework, development applications, compliance and enforcement, review of decision making and the community consultation processes.

Summary

The vast majority of Northern Territorians who participated in various consultation events generally distrust the planning system and decision making process, believe more meaningful participation should occur and there is too much political interference in the planning system. Participants particularly emphasized the need for planning system to be more transparent, inclusive and integrated.

The proportion of people who participated in the telephone or online survey as well as residents who attended the pop-up sessions commented that there is a need for information to be more accessible and clearer, whilst those who used the system more regularly commented on the need for an improved website connecting applicants to all relevant information, as well as making communication with service authorities easier.

A high proportion of the respondents felt that there was insufficient enforcement of planning outcomes, and suggested more should be done to enforce the permits granted.

There were mixed views on the review of the decision making process, in particular, regarding third party appeals. Many participants felt the current review system was adequate provided there was better communication and understanding of the planning process and outcomes. Others were of the view that third party appeal rights should be increased.

Participants from the community consultation workshops, whether from local government or stakeholders/professionals who used the planning system extensively, acknowledged there are positive elements of the planning system but also suggested numerous improvements that could be made. The participants acknowledged positive elements, such as:-

- » The planning system is predominantly an efficient and streamlined system, with timeframes known for development applications.
- » Comparable to other states, the planning system is generally simple.
- » Development Assessment Services (DAS) is easy to deal with and approachable.
- » Electronic submissions of development applications is efficient.
- » Strategic planning has improved significantly and is moving in the right direction.

Below provides a summary of key issues raised within the key planning processes.

Strategic Land Use Planning

The value of strategic planning was broadly acknowledged by virtually all respondents. The recent work at developing Area Plans and other strategic planning policy acknowledged was raised, with Groups acknowledging that estimating future development, particularly infrastructure and residential needs is a crucial part of government planning. The extent of consultation and the need for communities to have more influence and understand exactly what the strategic planning or Area Plans, was sought. This notwithstanding, the following key areas were identified during the consultation process:

- » Strategic Planning is required for **all areas** and should be a **priority, and reflect a placed based approach**.
- » Improve the depth of strategic planning **research and review**.
- » Decision making and implementation should be **refined**.
- » Strategic planning should be undertaken with **transparency & accountability**.
- » Strategic planning needs to be **context specific / location specific**.
- » Strategic planning **outcomes** need to be improved and coordinated.
- » A comprehensive **legislative review** should be undertaken.
- » A planning **education process** should be started.
- » The way strategic planning projects are released for **consultation** should be reviewed.
- » Focus on **community input**, and outcomes.
- » Planning process should be linked to environmental, mining or ground water legislation and processes, with potential to include environmental sustainability as an object of the Planning Act.

Development Applications

The most notable outcome from the consultation process, relating to Development Applications, relates to the approval process, the make-up of the Development Consent Authority, and the perceived level of political influence in the Development Process.

Similarly, the understanding of the planning process points to the needs for improved planning education, and broader understanding of the system. This observation arises from direct comments, as well as input received that demonstrates misunderstanding of the planning system.

Across most jurisdictions, and all consultation tools, the need for a hierarchy of applications was raised – implying the need for the application and approvals process to reflect the complexity of applications, along with additional delegations down to officer level to approve minor applications, such as carports.

Key themes arising from this section include:

- » Planning **advice** needs to be more **consistent** and accurate.
- » The application process needs to be more consistent, and **outcomes focussed**, with consideration of the built form, subdivision and good tropical design guidelines.
- » The **robustness of the NTPS** should be improved.
- » The progress of applications should be **trackable**.
- » Planning in **remote towns** should be improved.
- » Provide a structured approach to **service authority comments** and resolving issues.
- » Development applications should be undertaken with **transparency & accountability**.
- » Development application **decision making** should be undertaken **impartially**.
- » The planning process should be **simplified**, and a **hierarchy of applications** should be introduced to streamline simple proposals.
- » Application requirements should reflect the complexity of the proposal to **reduce cost**.
- » A **streamlined variations** process should be implemented.
- » **Consultation** should be balanced and transparent.
- » A **planning education** process should be started.

Compliance & Enforcement

The compliance and enforcement theme received less input than the strategic land use planning and development application themes. In general terms, the observation is that there is too little compliance and enforcement. It was suggested that a more robust system be put in place to pick up non-compliance without a complaint / report being required.

A further focus of input received, was simplifying the process for complying with development permit conditions, as well as improving enforcement of conditions.

The key points raised were:

- » Compliance and enforcement should be **holistic and consistent**.
- » Conditions of Development Permits should be **enforced diligently**.
- » The outcomes of variation applications should be **communicated to respondents** and service authorities.

- » The compliance process should be **streamlined and strengthened**.

Review of Decisions (Appeal Process)

There are divergent perspectives on the appeal process. While respondents, particularly through the online and telephone survey, commented on the need for extended third party appeal rights, this was countered by the need for a robust, transparent planning process reducing the need for appeals. The need to consider the economic impact / time cost of the appeal process was also a recurring theme.

Increased appeal rights could be accompanied by a more rigid requirement for what should be included in an appeal to ensure the validity of such an appeal. Concern was raised that wider appeals options would be open to abuse.

The "Review of Decisions (Appeal Process)" theme within the consultation was also frequently confused with the planning (Ministerial and DCA) approvals process. Where this occurred, these responses have been re-allocated to the appropriate section above.

Key themes arising from the consultation included:

- » The strength, and **extent** of third party appeal rights should be improved.
- » Third party appeal rights should consider the **impact on the Economy**.
- » Ensure the NTCAT considers both legal and planning considerations, and should not only be a legal process.

General

Certain general comments were received through the course of the consultation process. In many cases, these were not related to the Planning System Reform, but related to specific land use concerns, or were related to other strategic planning consultation undertaken simultaneously. Many people from the workshops indicated that a new Act and holistic review of the NTPS is required.

The following points relate specifically to planning system reform:

- » The NTPS needs to be **place specific**.
- » There is a need for the NTPS to include **design guidelines** / requirements.
- » There should be better **co-ordination and integration**.
- » Updating of the NTPS needs better **notification** and distribution.
- » **Transparency and accountability** should be a focus of the planning system.
- » The website and **availability of information** should be improved.
- » Better linkage and **integration with other legislation and processes**, such as environmental, vegetation, ground water and mining.

Conclusion

In summary, through the consultation process, Territorians have provided the Northern Territory Government with significant input/comment to inform the review of the planning system across elements relating to governance, consultation processes, strategic planning, development application permit process, compliance, enforcement, as well as review of decisions (appeal process).

The consultation process outlined:-

- » a significant number of key planning processes or issues to retain,

- » significant number of improvements that could occur within the legislation,
- » improvement to governance and decision making.

The consultation outcomes highlighted a lot of similarities across all areas of the Northern Territory but also across different residents, or groups of users. The consultation process also obtained mixed views on aspects in the planning process, including appeal rights, or the extent of consultation influence that should or does occur.

The consultation outcomes have provided the Northern Territory Government with some key priorities to immediately improve the planning system, no matter what Northern Territory region or town the participant resided/worked within.

1 Introduction

Elton Consulting was appointed to undertake an independent consultation process for stage 1 of the '*Building Confidence through Better Planning for the Northern Territory: Review, Reframe, Renew*' discussion paper (the Discussion Paper).

1.1 Objective

The objective of consultation was to gain input, through feedback from community, industry and stakeholders, into opportunities to reform the planning and development system.

The outcomes will enable the Department of Infrastructure, Planning and Logistics to review, reframe and renew the current Northern territory (NT) planning system.

1.2 Consultation Approach

The consultation approach aimed for meaningful engagement with a broad spectrum of the community, ranging from those who have little-to-no experience with planning, to those who use the planning system extensively and regularly.

Consultation Tools

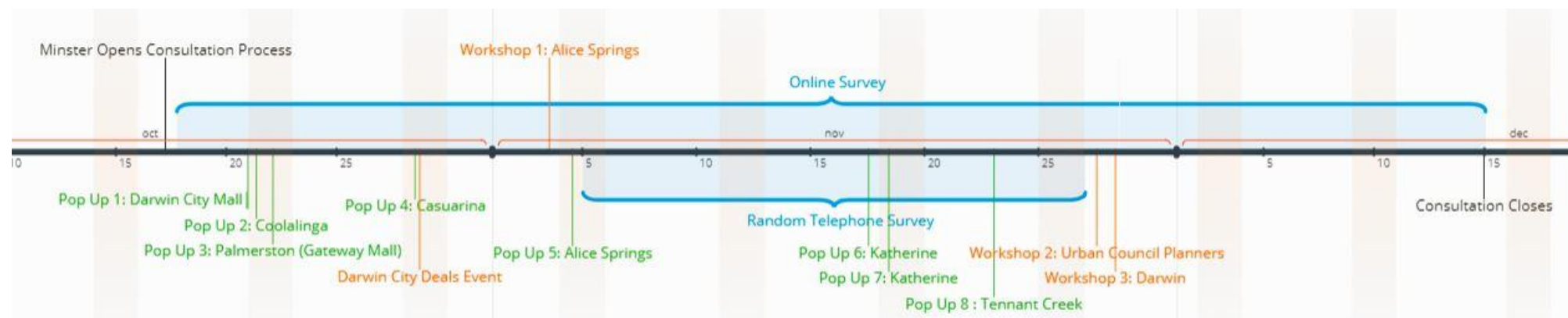
To achieve this, a wide variety of consultation tools were used, including:

- » Direct contact with all key stakeholders, introducing the discussion paper and inviting them to participate in consultation.
- » Meetings with key stakeholders.
- » A random and representative phone survey of 400 Northern Territory residents; aimed at providing statistically significant outcomes.
- » A dedicated 1800 number for queries.
- » An online survey, providing the opportunity for all Territorians to participate.
- » Inviting written submissions.
- » Two industry workshop sessions, held in Alice Springs and Darwin.
- » One focus group, with participants sourced from random telephone respondents.
- » Two Council workshop sessions to capture focussed feedback, and involving members from virtually all local government areas in the Territory.
- » Pop-up community consultation sessions at local shopping centres and malls.

Timing

Consultation was undertaken between 17 October 2017 and 22 December 2017. The figure below provides a timeline of consultation activities and timeframes.

Figure 1 Consultation Programme – October to December 2017



Generated using TimeGraphics (www.time.graphics)

1.3 Consultation Focus & Outcomes

Respondents across all consultation tools were asked questions relating to:

- » **Experience** with the current planning system.
- » **Opportunities** to achieve the six key principles of:
 - > Provides Certainty
 - > Balances Competing Interests
 - > Ensures Transparency
 - > Reduces Complexity
 - > Incorporates Consultation.
 - > Extends opportunities for decisions to be reviewed.

Workshop participants were also asked to provide **priority actions/tasks**.

1.3.1 Quantifying the Engagement Response

The outcome of the consultation process resulted in:

- » Under ten telephone calls to the 1800 number.
- » 73 online surveys being completed.
- » 404 participants completing the random telephone survey, with an average completion time of 9.6 minutes.
- » All major local government councils participating and providing comments, comprising approximately 20 participants in two Council workshops in November 2017.
- » The majority of industry, professional and peak bodies having representatives at workshops/meetings both in Alice Springs and in Darwin. Workshops and meetings were held in November with approximately 31 participants over two workshops
- » Approximately 450 people attending pop up sessions in Darwin, Palmerston, Litchfield, Katherine, Tennant Creek and Alice Springs regions across the Territory throughout weekends in October and November 2017.
- » 31 written submissions.
- » Website Analytics:
 - > 868 total site visits.
 - > 329 Discussion paper downloads.
 - > Approximately 700 unique visits (excludes multiple visits from the same IP address).

1.3.2 Collating Consultation Outcomes

Responses have been collated, and structured into the following categories:

- » Strategic Planning.
- » Development Applications.
- » Review of Decision Making (Appeal Rights).
- » Compliance & Enforcement.
- » Other / General.

1.4 Limitations

It is noted that respondents frequently blurred the lines between planning process being the subject of this consultation, the content of the NT Planning Scheme, as well as various geographically specific strategic planning projects and issues.

Comments and input have therefore been refined in the main body of this report, with the focus being *planning system reform* issues.

2 Strategic Land Use Planning

This section outlines the consultation outcomes specific to the theme of Strategic Planning.

The value of strategic planning was broadly acknowledged by virtually all respondents, the recent work at developing Area Plans, and other strategic planning policy acknowledged. Groups acknowledge that estimating future development, particularly infrastructure and residential needs is a crucial part of government planning, but it can be difficult due to population fluctuations, and unexpected change. The extent of consultation and the need for communities to have more influence and understand exactly what the strategic planning or Area Plans was sought. In particular community groups considered the new manner of doing Area Plans may be too detailed. This notwithstanding, the following key areas were identified during the consultation process:

- » Strategic Planning is required for **all areas** and should be a **priority**.
- » Improve the depth of strategic planning **research and review**.
- » Decision making and implementation should be **refined**.
- » Strategic planning should be undertaken with **transparency & accountability**.
- » Strategic planning needs to be **context specific / location specific**.
- » Strategic planning **outcomes** need to be improved and coordinated.
- » A comprehensive **legislative review** should be undertaken.
- » A planning **education process** and clarity on Area Plans should be started.
- » The way strategic planning projects are released for **consultation** should be reviewed.
- » Focus on **community input**, community influence and outcomes.

These themes are explored in more detail below.

2.1 Experiences & Opportunities

Table 1 Strategic Planning – Key Themes & Outcomes

Key Themes	Experiences & Opportunities
Strategic Planning is required for all areas.	<ul style="list-style-type: none">» The lack of direction of planning for areas such as industrial estates and commercial areas is a detractor for investment.» Planning is needed for rural and regional areas, to support decision making on development pressure and pressures to subdivide.» More consistent planning is needed for remote towns to support Council service delivery.» Strategic planning for specific areas should take into account the impact on other areas and link in with the infrastructure required.

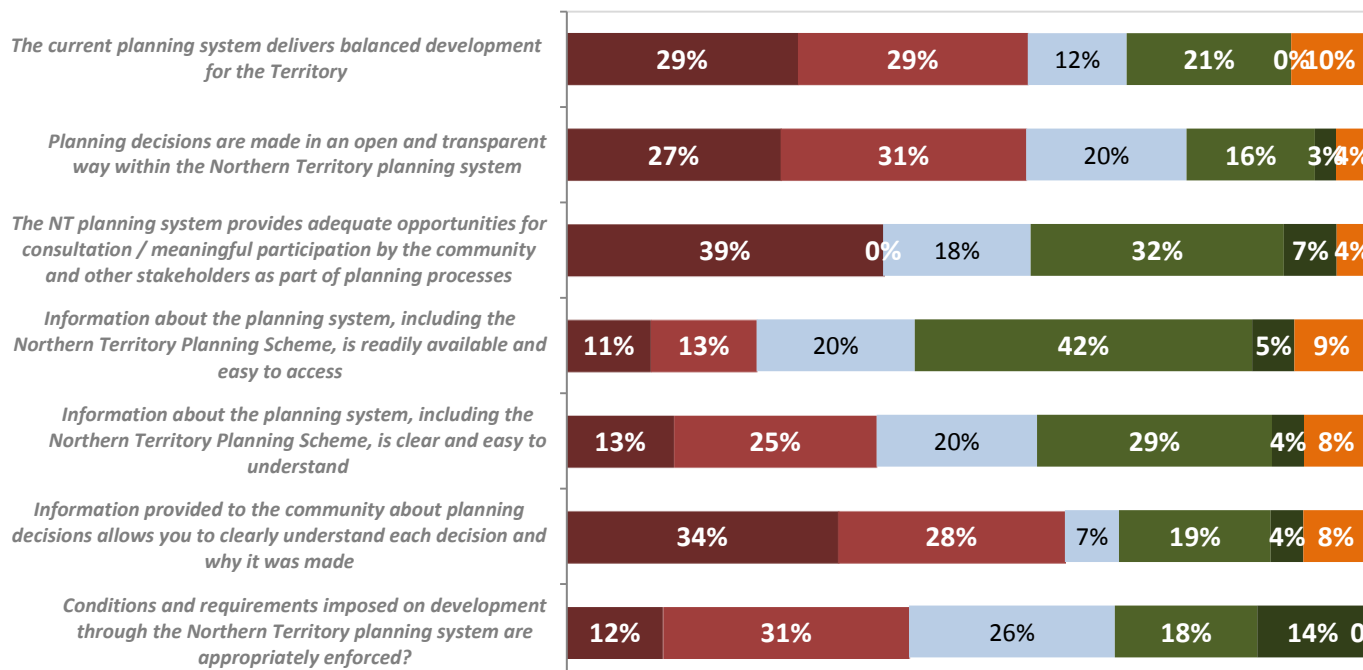
	<ul style="list-style-type: none"> » The focus on more Area Plans is good. » Area plans should provide definitive certainty on where rezoning and different forms of development will be supported.
Improve depth of strategic planning research.	<ul style="list-style-type: none"> » Strategic Planning should: <ul style="list-style-type: none"> > Consider the capacity of physical infrastructure (roads, stormwater, electricity, water, sewerage). > Consider environmental impacts, and protection of natural corridors. > Improving the connection of strategic planning and funding, and service authority strategic planning and implementation. E.g. budgeting for the expansion of service infrastructure. > Consider economic factors/impact and market demand. > Consider environmental impacts, and the potential to incorporate environmentally sustainable development as an objective of the planning system. > Consider and protect of heritage elements. » The Planning Commission could consult more broadly when considering strategic planning to ensure all interests (often competing / divergent) are considered equally. » Service Authorities, and particularly Councils, should play a larger role in strategic planning to ensure they are able to support service delivery demands resulting from increased development. The lack of involvement of service authorities creates difficulties in implementing projects. » Strategic planning should consider the provision of community purpose land and social infrastructure, so to support the growth in areas, whether residential or employment. » Strategic planning should follow a holistic approach, with a clear vision for development densities, and integrated approach across service agencies, delivery of infrastructure, and delivering public transport. » There are too many, and different technical engineering, road and water guidelines. One set of consolidated technical guidelines should be prepared, in consultation with industry. Consistency is needed across all Councils in the Territory.
Decision making and implementation should be refined.	<ul style="list-style-type: none"> » The rezoning component of a concurrent application should only be affected when construction of the DA component is completed, to ensure the zoning change does not extend past the validity period of a permit. » There should be clear guidelines and criteria for rezoning decision making. » There should be clear reasons or justification provided when a decision is made.
Strategic Planning should be a priority.	<ul style="list-style-type: none"> » There is a need for Area Planning in more areas, as a priority, to support investment and development. » Area Plans should clearly identify what land can and cannot be used for in future. » Develop neighbourhood character statements to provide better direction for development within specific areas.

	<ul style="list-style-type: none"> » The number of Specific Use Zones issued points to the current zones being too limiting and specific. Zones should be re-visited and/or additional zones developed to provide clarity and be less restrictive
Strategic planning should be undertaken with transparency & accountability.	<ul style="list-style-type: none"> » Strategic planning (including rezonings and Exceptional Development Permits) should be undertaken by professional planners and technicians, with decision making made on planning grounds independent from politics. » There should be consistency in planning regardless of which political party has formed Government. » There should be consistency across electoral cycles to provide certainty in the planning process. » The availability of planning information should be improved; both electronically (online) and in hard copy. » Rezoning and Exceptional Development permit (EDP) reports should be made available in the same manner as Development Application reports. » The timeframe for a Ministerial decision on rezonings and EDPs should be legislated. Rezoning decisions should be based on clear criteria and guidelines. » Development form / proposals should not be altered to achieve specific political government objectives. » Outlining the reasons for the decision on strategic planning rezoning or policy was repeatedly made.
Strategic Planning needs to be context specific / location specific.	<ul style="list-style-type: none"> » Certain areas have different character, and context specific planning controls should apply – rather than standardised NT wide controls. For example, Alice Springs CBD, remote towns.
Strategic Planning outcomes need to be improved.	<ul style="list-style-type: none"> » The NT Planning Scheme (NTPS) should be refreshed to focus on better built form outcomes. » Amenity should be considered in strategic planning and policy. » The NTPS has been changed incrementally over the past few years. It needs to be reviewed in its entirety, with community input. » Planning "Overlays", such as flooding or overland flow, vegetation etc. could be included and referenced in the NTPS.
A comprehensive legislative review should be undertaken.	<ul style="list-style-type: none"> » The Planning Act should be reviewed and refreshed to simplify the planning system. » A coordinated review of all related legislation, e.g. the Environment Protection Act should be undertaken to remove duplication, and to streamline both processes.
A planning education process should be started. <i>Note: This section relates to comments, as well as survey results.</i>	<ul style="list-style-type: none"> » Improve the understanding of zones, and accessibility of the scheme for non-planners, so the broader community can understand planning » Improve the understanding of Strategic Planning more broadly, and more specifically Area Plans, and the various levels of strategic planning in the NTPS. » There should be clarity or minimum requirements as to what

	reports or level of detail is needed in rezonings.
The way strategic planning projects are released for consultation should be reviewed.	<ul style="list-style-type: none"> » There are currently too many strategic planning projects being consulted on at the same time – resulting in consultation fatigue. » Too many consultation projects simultaneously affect organisation's ability to review the project/policy/proposal and prepare comprehensive responses. » Better coordination of strategic planning consultation will allow respondents to collaborate, and work together.
Focus on Community input, and outcomes.	<ul style="list-style-type: none"> » Community input into strategic planning is vital. <ul style="list-style-type: none"> > The community advisory group model is an opportunity to improve consultation outcomes. » Improve outcomes of community consultation in strategic planning and policy development: <ul style="list-style-type: none"> > Reflect community consultation outcomes – or explain why they have not been incorporated. > Ensure it is genuine consultation, and not a "tick-the-box" exercise. > Ensure decisions are balanced, and reflect community aspirations and amenity concerns – not weighted in favour of developers. » Ensure consultation occurs before decisions are made on strategic planning or policy. » Provide a one-stop-shop online for all planning related information.

Figure 2 Opinions about the planning system

■ 1 Strongly disagree ■ 2 ■ 3 Neither agree nor disagree ■ 4 ■ 5 Strongly agree ■ Don't know



2.2 Priorities for NTG

Respondents at the workshop sessions were asked to provide planning system reform ideas that they consider priorities, or actions, that could be implemented to improve the planning system. Each participant was requested to choose only three key elements as their priorities. The following main themes were common across all workshops:

- » Prioritise Area Plans / Strategic Planning for rural and regional/remote areas, to protect lifestyle and amenity and provide a framework for decision making.
- » Increase the number and extent of consultation within strategic planning
- » Review and expand the number of zones, and strengthen definitions of zones.
- » Provide uniform subdivision design guidelines across the NT.
- » Improve the integration of strategic land use planning and strategic infrastructure planning, coupled with intra- and inter-government cooperation.
- » Introduce development contribution schemes.
- » Review the Planning Act and Northern Territory Planning Scheme (NTPS), with a focus on being simpler and more outcomes focussed.

3 Development Application System

This section outlines the consultation outcomes specific to the theme of Development Applications.

The most notable outcome from the consultation process, relating to Development Applications, relates to the approval process, the make-up of the Development Consent Authority, and the perceived level of political influence in the Development Process.

Similarly, the understanding of the planning process points to the needs for improved planning education, and broader understanding of the system. This observation arises from direct comments, as well as input received that demonstrates misunderstanding of the planning system.

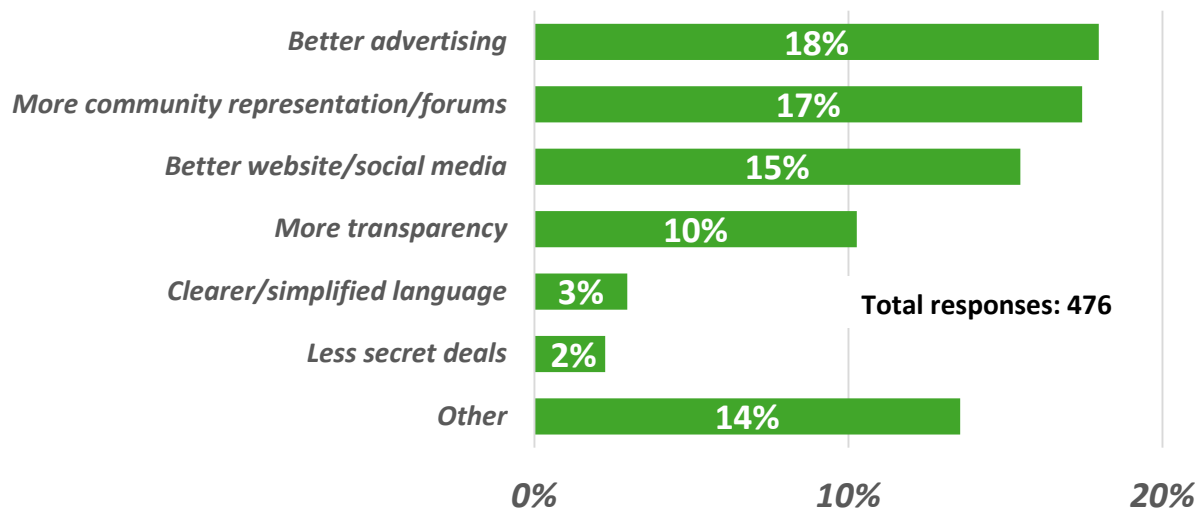
Across most jurisdictions, and all consultation tools, the need for a hierarchy of applications was raised – implying the need for the application and approvals process to reflect the complexity of applications, along with additional delegations down to officer level to approve minor applications, such as carports.

Key themes arising from this section include:

- » Planning **advice** needs to be more **consistent** and accurate.
- » The application process needs to be more consistent, and **outcomes focussed**.
- » The **robustness of the NTPS** should be improved.
- » The progress of applications should be **trackable**.
- » Planning in **remote towns** should be improved.
- » Provide a structured approach to **service authority comments** and resolving issues.
- » Development applications should be undertaken with **transparency & accountability**.
- » Development application **decision making** should be undertaken **impartially**.
- » The planning process should be **simplified**, and a **hierarchy of applications** should be introduced to streamline simple proposals.
- » Application requirements should reflect the complexity of the proposal to **reduce cost**.
- » A **streamlined variations** process should be implemented.
- » **Consultation** should be balanced and transparent.
- » A **planning education** process should be started.

These are explored in more detail below.

Figure 3 Categorical responses to the question in the telephone survey - 'Can you identify any ways we could make information about the planning system including the NT Planning Scheme better?



3.1 Experiences & Opportunities

Table 2 Development Application System – Key Themes & Outcomes

Key Themes	Experiences & Outcomes
Planning advice needs to be more consistent and accurate.	<ul style="list-style-type: none"> » Planning advice needs to be more consistent across officers and NT office locations. » Access to planners with specific geographic expertise is important for advice, rather than relying on a duty planner who does not have area specific knowledge. » Need to allow for more detailed pre-lodgement application assessment. » Allow for more mediation to resolve issues before an application is tabled at a DCA hearing. » There needs to be only one point of contact in the planning process, with coordination undertaken by Planning. » Re-instate the regular service authority review meetings, at which applications are discussed collaboratively.
The application process needs to be more consistent, and outcomes focussed.	<ul style="list-style-type: none"> » The exhibition process does not always match the complexity of the application. Simpler applications should not require exhibition / shortened exhibition. » Processing times across jurisdictions / offices are inconsistent. » Staffing levels need to be addressed, particularly in smaller offices, particularly to deal with more complex applications. » There could be additional skill sets in the NT Planning

	<p>Department, including skills such as urban design.</p> <ul style="list-style-type: none"> » Assessment of applications are too “tick-the-box”. Assessment should include outcomes based planning assessment, considering the impact of the development on the surrounding community / land uses. » Applications should be performance based, rather than compliance based – with a focus on innovation in the built environment. » Guidelines should be developed to identify acceptable levels of variations
The robustness of the Northern Territory Planning Scheme (NTPS) should be improved.	<ul style="list-style-type: none"> » Improve the number of definitions and explanations contained in the NTPS. » Improve the description / intent of zones. » Better provision should be made for temporary uses. » Early and better consultation on NTPS changes, and showing clearly changes in the Scheme is useful.
The progress of applications should be trackable	<ul style="list-style-type: none"> » Provide a mechanism for interested parties to track the progress of the application.
Planning in remote towns should be improved.	<ul style="list-style-type: none"> » Facilitate streamlined landowner authorisation processes. » Outline roles and responsibilities, and consultation requirements in remote towns.
Provide a structured approach to service authority comments and resolving issues.	<ul style="list-style-type: none"> » Weighting should be provided on service authority comments, to allow for competing priorities to be assessed and prioritised. » Service authorities should be provided with timeframe for condition precedence. » Better integration of service authority departments and their requirements, and they should not change decisions retrospectively. » Allow for post-exhibition and pre-DCA mediation to resolve issues before a recommendation is developed.
Development applications should be undertaken with transparency & accountability	<ul style="list-style-type: none"> » The development application process should be followed strictly, and all provisions applied equally to applicants. » Consistent, and not varying, information requirements and process should be applied to all developers. » Variations to development permits should be more transparent, so that submitters and service authorities are aware that variations are being made. » Consider different ways of notifying people of applications, including newspaper, and mail drops to affected residents. » Provide past development permits online, and accessible. » There should be improvements to the advertising notification and then information post advertisement of applications.
Development application decision making should be undertaken	<ul style="list-style-type: none"> » Ensure that the DCA chairperson is a skills-based appointment, rather than a political appointment. » Review the composition of the DCA to include subject matter

impartially.	<p>experts, or a specialised panel to advice/inform the planning decision.</p> <ul style="list-style-type: none"> » Ensure that DCA decisions are consistent, and that reasons for decisions are provided/outlined.
The planning process should be simplified, and a hierarchy of applications should be introduced to streamline simple proposals.	<ul style="list-style-type: none"> » To the general person, the current planning process is complicated and a negative experience with substantial "red-tape". » There is the need for the planning system to have a hierarchy of applications, where simpler proposals follow a shorter / streamlined application process. » Processing timeframes should reflect the complexity of the application. » A wider range of delegations should be provided to officer level for approval of simpler applications.
Application requirements should reflect the complexity of the proposal to reduce cost.	<ul style="list-style-type: none"> » Applications can cost a substantial amount of money, not only in application fees, but also consultant costs to prepare an application that meets the requirements of the Act. » Simpler applications / planning issues should be streamlined to reduce requirements and technical reports needed to reduce the cost. » Clearer indication as to which specialist reports are needed for each type of application could assist in avoiding unnecessary, costly specialist reports and studies.
A streamlined and clearer variations process should be implemented.	<ul style="list-style-type: none"> » A review of Clause 2.5 of the NTPS is required, to allow for a simpler Development Permit Variation process. In particular, an outline of criteria as to when the waiver may be of "special circumstance" to support the waiver or variation.
Consultation should be balanced and transparent.	<ul style="list-style-type: none"> » The applicant should be provided sufficient opportunity to respond to submissions. » Consultation and objections should have a structure, where objections are grounded in planning merit / amenity issues, and avoid personal comments. » Amended application details should be circulated to service authorities and submitters for review, with sufficient time to allow a full assessment. » Consultation should be genuine, and comments from the community should be taken into account in the decision making process.
A planning education process should be started <i>Note: This section relates to comments, as well as survey results.</i>	<ul style="list-style-type: none"> » Clearly explain the role of the NTG and Council in the planning process. » Improve the location and accessibility of information. The website is difficult to navigate to find planning information. » Pink signs are too small, particularly for moving traffic. » Outline clearly which agencies should be consulted with for each particular type of application, and at which stage of the application process. » Improve fact sheets and guidelines explaining the planning process clearly, in an accessible way understandable to the

	<p>general reader.</p> <ul style="list-style-type: none"> » Improve application flow-charts to be more understandable to the general reader. » Improve the connection to the Environmental Assessment process (NT EPA), and explain this process in more detail.
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3.1.1 Conflicting Outcomes

In certain cases, respondents and stakeholders had divergent perspectives. These included:

- » *"The exhibition time is too short" vs "The exhibition time is too long" vs "The exhibition time is just right."*
- » *"Planning assessment should be undertaken by the NTG, not the Councils" vs "Councils should have more planning power."*
- » *"The concurrent application process is good, as it provides more detail through the process" vs "Concurrent applications should not be allowed as the DCA focus on the detailed design, and not the principle of the rezoning."*
- » *"Less flexibility to ensure decisions are free from subjective / opinion based influence" vs "More flexibility to ensure improved design outcomes".*
- » *"More community consultation is required, and comments from the community need to be better reflected, particularly in relation to amenity concerns" vs "Broader consultation would give too much precedence to opponents of development"*

3.2 Priorities for NTG

The following priorities were suggested by workshop participants:

- » Introduce a hierarchy of development applications, with reduced application requirements and streamlined processing and approvals of simple applications.
- » Introduce more delegations for approval, particularly for simpler applications.
- » Put in place requirements for objections – e.g. a standard objection form with key areas to be addressed.
- » Introduce a weighting system for objections and submissions.
- » Review definitions in the NTPS to provide more certainty, and reduce grey areas.
- » Review the make-up of the DCA:
 - > Improve the independence by amending the appointment of the Chairperson from a political appointment to a skills-based appointment.
 - > Ensure that membership includes trained professionals.
- » Introduce time limits on service authority comments, including clearing conditions.
- » Design guidelines should form part of the NTPS to improve built form and subdivision outcomes.
- » Improve the availability of information, including improving the website to place all information relevant to development applications in one place.

- » Review the consultation process, including the timing of exhibition based on complexity of the application, the introduction of local advisory committees, and the way community input is assessed.
- » Ensure planners providing advice understand the local context – better access to the area planner, rather than reliance on a duty planner.

4 Compliance & Enforcement

This section outlines the consultation outcomes specific to the theme of Development Applications.

The compliance and enforcement theme received less input than the strategic land use planning and development application themes. In general terms, the observation is that there is too little compliance and enforcement. It was suggested that a more robust system be put in place to pick up non-compliance without a complaint / report being required.

A further focus of input received, was simplifying the process for complying with development permit conditions, as well as improving enforcement of conditions.

The key points raised were:

- » Compliance and enforcement should be **holistic and consistent**.
- » Conditions of Development Permits should be **enforced diligently**.
- » The outcomes of variation applications should be **communicated to respondents** and service authorities.
- » The compliance process should be **streamlined and strengthened**.

These points are discussed further below.

4.1 Experience and Opportunities

Table 3 Compliance & Enforcement – Key Themes & Outcomes

Key Themes	Experiences & Opportunities
Compliance and enforcement should be holistic and consistent.	<ul style="list-style-type: none">» Where an area of non-compliance is identified, it needs to be enforced universally – not in isolation. Anyone undertaking the illegal use should be enforced.» The NTPS needs to be reviewed to ensure clauses cannot be interpreted differently. For example, the experience has been that the new open space requirements and zero lot lines provision are interpreted differently across offices and individuals.» Compliance is difficult in the case of retrospective applications, when the use has already commenced. Stronger provisions are needed to discourage non-compliant development.» More support should be provided to allow government/councils to take enforcement action quickly

Key Themes	Experiences & Opportunities
Conditions of Development Permits should be enforced diligently.	<ul style="list-style-type: none"> » 17% of online survey respondents (the highest proportion of respondents to this question) indicated that there is little or no enforcement on the conditions of development permits. » Provide a requirement for security deposits / bonds on applicable conditions. » Provide higher fines for non-compliance with conditions. » Improve resourcing of the compliance division to allow for better monitoring of compliance.
The outcomes of variation applications should be communicated to respondents and service authorities.	<ul style="list-style-type: none"> » Ensure there is better communication of variations to conditions to service authorities (including Councils), to ensure they are working from the most up-to-date list of conditions.
The compliance process should be streamlined and strengthened.	<ul style="list-style-type: none"> » Establish clear guidelines for acceptable levels of variation from Development Permits. » There should be legislated timeframes for service authorities to provide clearances. » There should be a standard process for service authorities to provide clearances. » A monitoring system should be established to pick up non-compliance, rather than relying on complaints/reports. » There should be stronger penalties for non-compliance. » Infringement notices should be introduced.

4.2 Priorities for NTG

The following priorities were suggested by workshop participants:

- » Establish clear guidelines for acceptable levels of variation / extent of changes that trigger the need for an application.
- » Introduce stronger provisions for enforcements, including higher fines for non-compliance.

5 Review of Decisions (Appeal Process)

This section outlines the consultation outcomes specific to the review of planning decisions (Appeal Process).

There are divergent perspectives on the appeal process. While respondents, particularly through the online and telephone survey, commented on the need for extended third party appeal rights, this was countered by the need for a robust, transparent planning process reducing the need for appeals. The need to consider the economic impact / time cost of the appeal process was also a recurring theme.

Increased appeal rights could be accompanied by a more rigid requirement for what should be included in an appeal to ensure the validity of such an appeal. Concern was raised that wider appeals options would be open to abuse.

The "Review of Decisions (Appeal Process)" theme within the consultation was also frequently confused with the planning (Ministerial and DCA) approvals process. Where this occurred, these responses have been re-allocated to the appropriate section above.

Key themes arising from the consultation included:

- » The strength, and **extent** of third party appeal rights should be improved.
- » Third party appeal rights should consider the **impact on the Economy**.
- » Ensure the NTCAT has **specialist advice** / members.
- » Review the **structure of NTCAT** in relation to planning appeals.

These explored in detail below.

5.1 Experience & Outcomes

Table 4 Review of Decisions (Appeal Process) – Key Themes & Outcomes

Key Themes	Description
The strength, and extent of third part appeal rights should be improved.	<ul style="list-style-type: none">» Appeal rights, based on planning and amenity issues, should be extended to people not directly impacted by development.» Appropriate, and genuine community consultation through the planning process (strategic and development application) is viewed as more important than stronger appeal rights.» Appeal rights should be extended to include zoning decisions and strategic planning.» Third party appeal rights are considered essential, as it provides the opportunity for the community to actively challenge planning decisions.

Key Themes	Description
Third party appeal rights should consider the impact on the Economy.	<ul style="list-style-type: none"> » Requirements should be set up for appeals, with a structure for vetting appeals before being accepted, to reduce unnecessary and costly responses. » Any increase in third party appeal rights should take into account the impact on development feasibility, and time costs of delays.
Ensure the NTCAT has specialist advice / members.	<ul style="list-style-type: none"> » NTCAT is viewed as an effective tool as an independent third party. » Assessment of appeals should be made from a specialist, informed planning viewpoint, and not purely from a legal perspective. » NTCAT is a legal process, rather than a political decision, which is positive – it is however too focussed on legal requirements, rather than good planning outcomes.
Review the structure of NTCAT in relation to planning appeals.	<ul style="list-style-type: none"> » Ensure that reviews happen in a timely manner. » Provide a performance based index on review of an application. » Reviews should reflect context, and planning principles, as well as local context. » Reviews of decisions should be based on the rights of applicants, and with due consultation. » NTCAT should consult a specialist in review of planning decisions. »

5.2 NTG Priorities

The following priorities were suggested by workshop participants:

- » Rezoning / EDP decisions should be appealable.
- » The local context, and planning principles, should form part of appeal reviews – not only legal approach.

6 General Comments

This section outlines the general comments received that relate specifically to Planning System Reform.

Certain general comments were received through the course of the consultation process. In many cases, these were not related to the Planning System Reform, but related to specific land use concerns, or were related to other strategic planning consultation undertaken simultaneously.

Many people from the workshops indicated that a new Act and holistic review of the NTPS is required.

The following points relate specifically to planning system reform:

- » The NTPS needs to be **place specific**.
- » There is a need for the NTPS to include **design guidelines** / requirements.
- » There should be better **co-ordination and integration**.
- » Updating of the NTPS needs better **notification** and distribution.
- » **Transparency and accountability** should be a focus of the planning system.
- » The website and **availability of information** should be improved.

These are discussed in greater depth below.

6.1 Experiences & Opportunities

Table 5 General Comments – Key Themes & Outcomes

Key Themes	Experiences and Opportunities
The NTPS needs to be place specific.	<ul style="list-style-type: none"> » Certain towns and suburbs have different character and requirements, making place specific requirements and provisions within the NTPS necessary / appropriate. » Character statements should be included into the NTPS.
There is a need for the NTPS to include design guidelines / requirements.	<ul style="list-style-type: none"> » Design and subdivision guidelines should be incorporated into the NTPS to guide development, and ensure better built form and subdivision outcomes and amenity.
There should be better co-ordination and integration.	<ul style="list-style-type: none"> » The various levels of government, and service authorities, should be better integrated to improve the system and provide consistency. » Consultation revealed the need to consider mining leases and titles, environmental, certification, water license and pastoral lands with the planning reform.
Updating of the NTPS	<ul style="list-style-type: none"> » When the NTPS is updated, distribution of new pages or

Key Themes	Experiences and Opportunities
needs better notification and distribution.	notification of the changes needs to be better advised / more broadly distributed.
Transparency and accountability should be a focus of the planning system.	» There was the broad perception, on a range of topics, that planning decisions should be de-politicised, and made by impartial specialist people / bodies.
The website and availability of information should be improved.	<ul style="list-style-type: none"> » All relevant information should be available in one place. » The website needs to be improved to be more logical, and with relevant information in the same place.

7 Summary & Conclusion

The community consultation to obtain input and comments to “Building confidence through Better Planning for the Northern Territory” included opportunities for many resident, stakeholders and businesses to be involved in various ways and mechanisms across the Northern Territory, including Darwin, Palmerston, Lichfield, Alice Springs, Katherine and Tennant Creek.

The telephone and online surveys indicate a proportionate involvement of the communities across the Northern Territory, as well as a cross section of age groups. Over 1,000 people within the Northern Territory were directly involved in the consultation, with additional residents reading the documents on the website. The consultation involved a broad spectrum of the community who had little to no experience with planning as well as those who used the planning system extensively and regularly.

The vast majority of communities who participated in the consultation process were of the view that the planning system is not easily understandable and further that it is neither transparent nor provides significant meaningful participation. While many participants (primarily from the workshops) who used the planning system more extensively provided comments that the planning system is working well, but there is a need for improvements. The majority of comments provided by Territorians reflect the need for decision making to be more transparent and with the key reasons for the decision being outlined. A high proportion of the respondents felt that there was insufficient enforcement of planning outcomes, and suggested more should be done to enforce the permits granted. Between the participants there were mixed views on the review of the decision making process, in particular, regarding third party appeals. Many participants felt the current system was adequate provided there was better communication and understanding of the planning process and outcomes.

The inputs and comments from the community consultation were generally consistent across the Northern Territory, with few minor differences between the regional/rural areas and the greater Darwin region. Where differences in perspective were held, these related more to place-based / development specific issues rather than planning system concerns. The participants of the community consultation provided a significant more comment and ideas to reviewing and improving strategic planning and the development application process, rather than enforcement or the review of decisions. However, by far the greatest input from Territorians was based on the decision making process, criteria and skills associated with strategic plans, rezonings and large development applications.

The proportion of people who participated in the telephone or online survey who had not necessarily been involved extensively in the planning process, as well as residents who attended the pop up sessions provided the need for education on the planning system, consultation in the planning system and more information regarding advertising of development applications and the associated process.

Participants from the community consultation workshops, whether from local government or stakeholders/professionals who used the planning system extensively, acknowledged the increasing importance of strategic plans and streamlined efficiency for development permits. Suggested improvements were to have strategic planning for all areas with the need for the integration of transport, infrastructure and land use being coordinated. Decision making of development applications and the need for a “hierarchy of applications” – meaning the application and approvals process reflecting the size and complexity of applications, was commonly raised at workshops.

In summary, Territorians through the consultation process have provided the Northern Territory Government with significant input/comment into the review of the planning system across elements relating to governance, consultation processes, strategic planning, development application permit process, compliance and enforcement as well as review of decisions.



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PLANNING REFORM DIRECTIONS PAPER

*Building Confidence through Better
Planning for the Northern Territory*

CONTENTS

- 1 Introduction
- 2 Directions to Deliver Planning Reform
- 3 Proposed Reforms
- 4 Next Steps

LIST OF ACRONYMS

DA	Development Application
DAS	Development Assessment Services
DCA	Development Consent Authority
DIPL	Department of Infrastructure, Planning and Logistics
EDP	Exceptional Development Permit
NT	Northern Territory
NTG	Northern Territory Government
NTCAT	Northern Territory Civil and Administrative Tribunal
NTPS	Northern Territory Planning Scheme

INTRODUCTION

Land use planning is needed to make sure that existing and future Territorians have the built and natural environments needed to support great lifestyles and strong communities.

Planning guides how land can be used and sets the direction for sustainable and orderly development that meets the demands of a growing population. The Government is committed to providing the best planning system for the Territory – a system that is transparent, accountable and that will balance the many interests in the community.

From October to December 2017, a consultation paper was released outlining how the current Northern Territory planning system operates and introducing six principles intended to underpin the planning system to ensure it:

- ▷ provides certainty
- ▷ balances competing interests
- ▷ ensures transparency
- ▷ reduces complexity
- ▷ incorporates meaningful community participation and consultation
- ▷ expands opportunities for decisions to be reviewed.

Elton Consulting was engaged to talk with all sectors of the community to seek feedback on the current planning system in the Territory and ideas for its improvement. Feedback about the strengths of our planning system, its shortcomings and suggestions for improvement have been used to inform a package of proposed planning reforms. The full consultation outcomes report from Elton is available online.

FEEDBACK SNAPSHOT

Feedback from the community and industry illustrates features of the NT planning system that work and key areas for improvement.

KEY STRENGTHS

- ▷ Comparable to other states, the NT planning system is generally simple.
- ▷ The planning system is predominantly an efficient and streamlined system for development applications.
- ▷ Development Assessment Services (DAS) is easy to deal with and approachable.
- ▷ Electronic submissions of development applications is efficient.
- ▷ Strategic planning has improved significantly and is moving in the right direction.

KEY SHORTCOMINGS

- ▷ There is too much potential for political interference in the planning system.
- ▷ Decision making processes need more meaningful public participation.
- ▷ Planning decisions need to be more transparent and accountable.
- ▷ Planning decisions need to have more holistic and informed consideration of environmental, social and economic issues, and should focus on producing good development outcomes.
- ▷ Planning information needs to be clearer and more accessible, especially online.
- ▷ More needs to be done to enforce development permits.

AIM OF THE DIRECTIONS PAPER

This Directions Paper gives an overview on the Government's strategy to reform the planning system.

The Directions Paper introduces:

- ▷ three overarching directions for planning reform guided by the six principles and reflecting community feedback
- ▷ the two phases over which reforms will be delivered
- ▷ a snapshot of the proposed reforms and
- ▷ issues considered to be outside the scope of this review

The Directions Paper is complemented by a Phase 1 Priority Reforms paper that provides more technical detail on reforms proposed for Phase 1.

Phase 1 reforms include a number reference so you can easily find more detail and focused questions about these in the detailed Phase 1 Priority Reforms paper

DIRECTIONS TO DELIVER PLANNING REFORM

Community feedback identified a broad range of concerns and priorities. The essence of this feedback and the six principles guiding the reform suggest three key directions for improving the NT planning system.

SIX PRINCIPLES

PROVIDING CERTAINTY	BALANCING COMPETING INTERESTS	ENSURING TRANSPARENCY
REDUCING COMPLEXITY	INCORPORATING MEANINGFUL COMMUNITY PARTICIPATION AND CONSULTATION	EXPANDING OPPORTUNITIES FOR DECISIONS TO BE REVIEWED

THREE KEY DIRECTIONS

PRINCIPLES

1	Strengthen and clarify the planning framework to deliver better planning and development outcomes	    
2	Make the planning system more open and accountable to improve public understanding and confidence in planning decisions	    
3	Improve connections with the public to better value, encourage and support community contributions to planning processes	    



TWO PHASES OF PLANNING REFORM

Improving the planning system will require a mix of changes to planning laws and regulations, amendments to the NT Planning Scheme, development of new information resources, upgrades to online systems, and changes to administrative processes.

The proposed reform timeframe is split into two phases:

Phase 1 Priority reforms which consist of: <ul style="list-style-type: none"> fundamental legislative changes; structural planning scheme amendments that are needed to support a renewal of the Scheme in Phase 2; and administrative changes that are reasonably simple to implement. 	Phase 2 Longer term reforms that: <ul style="list-style-type: none"> rely on a change to law or policy to be completed first (through Phase 1 reforms); and/or require comprehensive research and investigation.
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The Lands Planning team has already commenced reforms that improve how planning information is accessed and internal administrative systems and processes. This reform project aims to have all Phase 1 reforms completed in 2019, and a majority of Phase 2 reforms completed in 2020.

1 Strengthen and clarify the planning framework to deliver better planning and development outcomes

WHAT WE HEARD

This direction reflects key themes from consultation that:

A comprehensive legislative review should be undertaken to simplify the planning system.

Strategic plans are needed for all areas as a priority. These should be developed with a greater depth of research and review, and should avoid a 'one size fits all' approach.

Planning processes need to be better coordinated and integrated with other legislation and processes, including those related to vegetation, water resources and infrastructure provision.

Development outcomes need to be improved, including considerations of the environment, built form, urban design and the local context of proposed developments.

There is a need for the NT Planning Scheme to include design guidelines / requirements.

PHASE 1 REFORMS

The NT planning system was generally considered to work well, notwithstanding the opportunities for improvement. It was also acknowledged that strategic planning is important to enable holistic consideration of environmental, social and economic issues at a relevant scale, including the local level.

Phase 1 reforms are proposed to build on these good points and address areas that need improving. The Act and Scheme will be restructured to make it clear how the planning system works, what matters must be considered by all decision makers (the DCA and Minister) when making planning decisions, and to strengthen the role of policy to influence consideration of a development within the context of its surroundings. Phase 1 reforms include actions to:

- ▷ Revise the purpose of the *Planning Act* and refine the structure and principles of the NT planning system (1.3)
- ▷ Define the contents of a planning scheme (1.4)
- ▷ Clarify the hierarchy and role of policy within the NT Planning Scheme (1.5)
- ▷ Strengthen the linkages between strategic planning and development assessment (1.6)
- ▷ Improve the integration of land use planning and infrastructure provision (1.8)

PHASE 2 REFORMS

Once the Act and Scheme are restructured and the role of policy is established, we can work within the new framework to do a comprehensive review of the NT Planning Scheme. This will include a substantial body of work to:

- ▷ Review definitions, zones and development provisions
- ▷ Review and develop a range of guidelines for matters such as building design, subdivision and land clearing

2 Make the planning system more open and accountable to improve public understanding and confidence in planning decisions

WHAT WE HEARD

This direction reflects key themes from consultation that:

The planning system should be more transparent and accountable.

The planning system is too political.

Decisions on development applications should be impartial.

Enforcement of the Planning Act needs to be proactive and consistent, and penalties should be stronger.

Opportunities for third party appeal rights should be improved.

Any increase in third party appeal rights should take into account and minimise unnecessary cost and delays to development

The NTCAT should take account of both legal and planning considerations.

PHASE 1 REFORMS

Proposed Phase 1 reforms include measures to improve transparency. The reforms listed in this section will be supported by better communication and consultation processes which are addressed in Section 3.

MORE TRANSPARENT APPLICATION AND ASSESSMENT PROCESSES

- ▷ Make the planning scheme amendment process more robust (1.7)
- ▷ Reform the Development Consent Authority (2.8)
- ▷ Introduce time limits for the deferral of development applications (3.2)

REVIEW THE APPEALS PROCESS

- ▷ Revise third party appeal rights (3.1)
- ▷ Increase access to NTCAT to review decisions (4.3)

REVIEW ENFORCEMENT AND COMPLIANCE PROVISIONS

- ▷ Review and clarify existing use rights (4.1)
- ▷ Improve the ability of the DCA to enforce offences under the *Planning Act* (4.2)
- ▷ Strengthen the ability of authorised officers to investigate (4.4)
- ▷ Revise penalty units to reflect the severity of offences (4.5)
- ▷ Introduce penalty infringement notices for minor offences (4.6)
- ▷ Introduce deeming provisions that establish who is liable when an offence has occurred (4.7)
- ▷ Expand liability provisions to include office holders of body corporates (4.8)
- ▷ Clarify provisions that limit time to commence prosecution (4.9)

PHASE 2 REFORMS

Phase 2 reforms that build on Phase 1 actions will include:

- ▷ Review the concurrent application process
- ▷ Review the use of exceptional development permits

PARTS OF THE SYSTEM TO BE PRESERVED

While proposed reforms respond to most concerns raised during consultation, some significant aspects of the current system will be preserved with improvements to aid understanding and enhance community confidence.

- ▷ The Minister will retain discretion over planning scheme amendments and exceptional development permits. This recognises that these decisions relate to changes to government policy. To address the concerns about the transparency of the Minister's decisions, parameters that all decision makers must consider will be added to the *Planning Act*.
- ▷ Council nominated members will remain part of the Development Consent Authority. This recognises their role in representing the interests of the local community. A new DCA code of conduct will include direction on how Council nominated members may voice the views of Council while ensuring their decisions are made independently.
- ▷ All planning scheme amendment hearings will continue to be held by the NT Planning Commission. This recognises that the NTPC is established to develop and advise on planning policy but has no decision making powers under the *Planning Act*. For transparency, reports from the Commission to the Minister with advice on issues raised by the community will now be made publically available.

3 Improve connections with the public to better value, encourage and support community contributions to planning processes

WHAT WE HEARD

This direction reflects key themes from consultation that:

Planning information needs to be easier to understand and more accessible, especially online.

A planning education process should be started.

Consultation should be balanced and transparent.

The way strategic planning projects are released for consultation should be reviewed.

Updating of the NT Planning Scheme needs better notification and distribution.

Requirements for applications and consultation should reflect the complexity of the proposal.

The progress of applications should be trackable and the outcomes should be better communicated to submitters.

Planning advice needs to be more consistent and accurate.

There should be a structured approach to service authority comments and resolving issues.

PHASE 1 REFORMS

Better information and communication values community participation. This will improve both transparency and confidence in decisions, and result in better development outcomes through the contribution of local knowledge. To support community involvement in planning, Phase 1 will involve the following reforms:

CLEARER AND MORE ACCESSIBLE INFORMATION ABOUT HOW THE PLANNING SYSTEM WORKS

- Demystify the NT Planning Commission (1.1)
- Improve the clarity and availability of information about the NT planning system and planning scheme amendment processes (1.2)
- Improve the clarity and availability of information about development assessment processes (2.1)

CONSULTATION THAT BETTER REFLECTS THE COMPLEXITY AND POTENTIAL IMPACT OF A PROPOSED DEVELOPMENT

- Introduce pre application consultation by applicants for high impact developments (2.2)
- Simplify notification requirements for minor developments (2.3)

MORE ACCESSIBLE INFORMATION ABOUT APPLICATIONS

- Update requirements for signs placed on land (2.4)
- Expand the role of electronic services for development notifications and formal correspondence (2.5)

BETTER RESPONSES AND ONGOING COMMUNICATION WITH SUBMITTERS

- Promote contact between planning officers and submitters on development applications (2.6)
- Facilitate post exhibition / pre determination discussion between applicants and submitters (2.7)

PHASE 2 REFORMS

Phase 1 improvements to information and communication will be further developed in Phase 2 with substantial work on online systems and alternative engagement methods. Phase 2 reforms include:

IMPROVE ENGAGEMENT OF 'HARD TO REACH' GROUPS

- Increase the awareness of and engagement with young people in planning
- Improve planning for remote communities

FURTHER IMPROVEMENTS TO ONLINE SYSTEMS

- Overhaul of online systems to develop an integrated planning portal that presents and interlinks systems that may include:
 - Online interactive planning scheme
 - Intuitive interactive mapping system with better property and planning information
 - Easy to understand presentation of applications
 - Application tracking and submissions platform for the public, and improvements to online application tracking / processing system for applicants
 - Online planning application archive
- Explore potential to use technology to improve opportunities to participate in DCA meetings including livestream

PARTS OF THE SYSTEM TO BE PRESERVED

Set timeframes will not be imposed on service authorities to sign off development permit conditions. This recognises that development must meet the technical and legal requirements of service authorities. Proposed reforms will increase opportunities for developers and service authorities to confer, and to potentially resolve issues, prior to a decision being made by the DCA.



NEXT STEPS

- This Discussion Paper is intended to be read in conjunction with the Phase 1 Priority Reform paper.
- The Phase 1 Priority Reforms paper gives a more detailed technical explanation of issues to be addressed in Phase 1.
- Your feedback will be used to further refine the direction of reforms, including the specific drafting of legislation and changes to Government policy. This will include changes to the *Planning Act*; planning scheme amendments; and administrative changes.
- Draft legislation and planning scheme amendments will be provided for further feedback, prior to being tabled in parliament in 2019.

HOW TO COMMENT

The Department of Infrastructure, Planning and Logistics will be running targeted consultation sessions over the coming 6 weeks focussing on the details of the Phase 1 Priority Reform paper.

If you provided your details as part of the Stage 1 consultation process you will be automatically included on our stakeholder contact list and invited to attend a workshop.

If you would like to be involved in the consultation sessions, or would prefer to provide written feedback, you can get in touch at: planningreform@nt.gov.au; or phone 08 8946 0600.



PLANNING REFORM PHASE 1

PRIORITY REFORMS

*Building Confidence through Better
Planning for the Northern Territory*

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Introduction

The release of a consultation paper in October 2017 was the first step in the process of Building Confidence through Better Planning for the Northern Territory. The consultation paper outlined how the Northern Territory planning system operates and introduced the six principles intended to underpin reform of the system. The aim of the initial consultation was to identify opportunities to reform the planning system so it delivers high quality developments and the outcomes the community expects.

In response to feedback from the first round of consultation, the Government has released:

- A **Directions Paper** to give a simple, accessible explanation of the Government's strategy to deliver planning reform and introduces the two phases through which reform will be developed and delivered.
- This **Phase 1 Priority Reforms** paper to give a more detailed technical explanation of issues to be addressed in Phase 1 and the reforms proposed to be developed and implemented to address the first tranche of the issues of concern identified by the consultation.

Government is seeking the view of all stakeholders on the strategy identified in the Directions Paper and the specific initiatives suggested in this paper.

Background

The *Planning Act* has been in effect since early 1993. A major amendment in 2005 introduced the framework for a single consolidated Northern Territory Planning Scheme (NTPS). The introduction of the NTPS in 2007 integrated 40 separate documents into a scheme covering all zoned land in the Territory (except Jabiru).

Since that time both the Act and the Scheme have been subject to numerous amendments.

The creation of the Northern Territory Planning Commission (NTPC) in 2012 increased the focus on the importance of strategic planning in guiding growth. A range of other amendments and administrative changes have improved components of the system and access to planning information.

This review reflects the recognition that improvements can always be made. A holistic approach to the review of the planning system is intended to give the community confidence that the system will deliver outcomes that support the needs of Territorians both now and into the future. Reforms will include a range of changes to the legislation, regulations, and the NTPS and new information resources and administrative processes.

Scope

Planning reform is intended to address the operation and effectiveness of the *Planning Act*, the NTPS and associated administrative and decision making processes. The objective of this paper is to identify those issues comprising Phase 1 of the reform, explain the reasons for the issues and identify potential reforms or actions to address them. These reforms will also provide a framework for further reforms as part of Phase 2.

List of Acronyms

DA	Development Application
DAS	Development Assessment Services
DCA	Development Consent Authority
DIPL	Department of Infrastructure, Planning and Logistics
EDP	Exceptional Development Permit
NT	Northern Territory
NTG	Northern Territory Government
NTCAT	Northern Territory Civil and Administrative Tribunal
NTPC	Northern Territory Planning Commission
NTPS	Northern Territory Planning Scheme

1. Strategic Land Use Planning and the NTPS

Consultation acknowledged that strategic planning in the Territory is improving, and this is a move in the right direction. The NT planning system is also considered to be relatively simple and effective compared to other jurisdictions in Australia. However, the need to clarify the planning system and better coordinate the various components of the NTPS was also raised.

The increasing focus on a strategic approach to planning is not unique to the Territory. The challenge for all jurisdictions is to streamline processes while reinforcing the role of strategic plans to facilitate holistic and informed consideration of environmental, social and economic issues.

The following reforms identify opportunities to restructure the Act and Scheme to make it clear how the planning system works, what matters inform decisions and to reinforce the role of policy in influencing those decisions. This is supported by reforms to the way in which information is made available and communicated to all stakeholders.

1.1. Demystify the role and processes of the NTPC.

The Act establishes the NTPC as an independent body and identifies its functions, including to consult with the community and to prepare integrated strategic plans, guidelines and assessment criteria for inclusion in the NTPS. As well as developing strategic planning policy, the Commission has a role in holding public hearings and reporting to the Minister on public feedback in relation to proposed planning scheme amendments. The Commission has no decision making powers under the Act.

While generally supportive of strategic planning by the Commission, a number of comments and submissions suggested that consultation could be improved and, in particular, that consultation across strategic planning projects needs to be better coordinated. More broadly, it seemed the role of the Commission and the factors that influence the development of planning policy were poorly understood by the community, contributing to lack of confidence in planning processes.

Some respondents felt that the Commission should not conduct hearings for proposed policy that they developed, and there was also a suggestion that this role should revert to the DCA to ensure local government involvement. Hearings on proposed planning scheme amendments will continue to be held by and reported on by the Commission to ensure it is aware of issues raised to inform future development of overarching strategic planning objectives. This approach also recognises that the Act already specifically provides for local government involvement in the planning scheme amendment process.

This reform focuses on improving community understanding and the transparency of the NTPC's functions, particularly in relation to community consultation. This is complemented by reforms seeking to clarify the structure of the planning system and reinforce the role of policy (1.3 - 1.6), improvements to the planning scheme amendment process (1.7), and improved access to information on the planning system and processes more generally (1.2).

Actions under this reform are to:

- 1.1.1 *Amend the Act to require the NTPC to have a publicly available community engagement charter including performance outcomes.*
- 1.1.2 *Make reports from the NTPC to the Minister publicly available.*
- 1.1.3 *Improve coordination of information about NTPC projects across the Commission and NT Government websites to increase awareness of the status these projects and their role in informing decisions.*

1.2. Improve the clarity and availability of information about the NT planning system, particularly amendments to the scheme including the rezoning of land

The community confidence in the planning system and ability to participate meaningfully in planning processes is impacted by a lack of transparency as well as misunderstandings around the operation of the NT planning system. A lack of information or difficulty accessing or interpreting the available information was an issue recognised by all sectors of the community including both frequent and occasional participants in planning processes.

This reform seeks to improve information on the NT planning system and make this information more accessible. This includes use of language and media that considers target audiences, particularly noting the different levels of expertise, understanding and information needed by frequent participants in the NT planning system (such as industry professionals) compared to those who are new to planning.

This reform relates to reform 2.1 which seeks to improve information on development application processes, as well as improvement and development of online systems proposed to take place in Phase 2. This will also support changes to the *Planning Act* and NTPS proposed through reforms 1.3 – 1.7 that clarify the fundamental structure of the NT planning system and the importance of policy.

Actions under this reform are to:

- 1.2.1. *Review and simplify the user guide to the NTPS to reflect the importance of policy.*
- 1.2.2. *Develop and improve guidance notes for industry professionals that assist in interpretation of various clauses of the NTPS, and in particular new or changed provisions.*
- 1.2.3. *Develop 'plain English' factsheets and similar information resources to clarify how the NT planning system is structured, and the powers, roles and responsibilities of key agencies under the Act.*
- 1.2.4. *Review and simplify guides for making a planning scheme amendment or concurrent application, and for providing submissions to these processes.*
- 1.2.5. *Develop an online glossary of planning terms and acronyms that can be added to over time to help the public understand more technical documents and applications.*

1.3. Establishing principles to advance the purposes of the Act

Through consultation it is clear there is confusion about how the planning system operates and what considerations guide planning and decision making. Some submissions made specific suggestions about objectives that should be included while others suggested that the planning system should be less prescriptive and more outcomes-focused.

Part 1 – Preliminary of the *Planning Act* establishes the purpose of the Act, the overarching objects and a number of mechanisms to achieve the objects but does not define a clear framework for planning processes and policies nor does it assign decision making roles.

Revision of Part 1 of the Act will clarify the function of the Act to guide the fair, transparent and accountable operation of the overall planning system. This will ensure transparency in decision making and provide the community with greater confidence that decisions are advancing achievement of the objectives of the Act.

Action under this reform is to:

- 1.3.1. *Revise Part 1 of the Act to establish:*

- *an expanded purpose of the Act to clearly establish the broad range of considerations that should guide the planning system;*
- *a clear structure for the planning system procedures, and decision-making roles and responsibilities; and*
- *overarching directions to advance the purpose of the Act in a way that promotes the fair, transparent and accountable operation of the planning system.*

1.4. Definition of a Planning Scheme

Section 9 of the *Planning Act* lists potential components of a planning scheme including policy statements; provisions that permit, prohibit restrict or impose condition on the use and development of land; and maps, designs or diagrams. The various components of the scheme are given power to inform decisions by other sections of the Act (in particular section 52). The vague nature of the descriptions of the components of a scheme, however, is limiting the effectiveness of policy and the achievement of good development outcomes.

The NTPC, the independent body established by the Act and tasked with strategic planning for the Territory, has suggested that strengthening the role of policy will be fundamental to achieving the Government's goals for reform of the planning system. The Commission has identified a number of reforms to underpin the importance of policy including a simpler and more clearly defined structure of the components of a Scheme.

Revision of section 9 and consequential amendment to section 52 of the Act will respond to the community's support for a consistent decision making framework and reinforce the status of policy.

Action under this reform is to:

1.4.1. Review section 9 of the Act to clarify that a planning scheme can include:

- *Strategic land use policies to guide all decisions in relation to future land use and development;*
- *Zones that permit (with or without consent) or prohibit development within the context of strategic land use policies;*
- *Performance criteria applicable to a use or zone and inform the manner in which a use or development may be undertaken; and*
- *Guideline documents that assist in the interpretation of the planning scheme.*

1.5. Clarify the scope for the policy hierarchy within the NTPS

The NTPS presents policy in a number of ways including:

- Territory and region-specific Land Use Frameworks and Planning Principles (Part 2)
- Area Plans (Part 8)
- Policy and Guideline documents (Schedules 2 and 3)
- Zone purpose statements (Part 3)
- Development provision purpose statements (Parts 4 and 5).

As the NTPC works with the community to prepare land use policies to improve development outcomes in the Territory, a hierarchy of plans is emerging – notably, regional land use plans that establish overarching directions and cascading subregional land use plans and area plans that provide further detail for smaller localities. This hierarchy is broadly acknowledged in the policy documents themselves, but is not identified in the Scheme or the Act.

Presenting a hierarchy of policy, which mirrors the hierarchy of plans being prepared by the NTPC, within a reformatted Part 2 of the Scheme will strengthen the role of policy in guiding future development and decision making.

The proposed changes also respond to community concerns that the increasing use of Specific Use (SU) Zones and Exceptional Development Permits (EDPs) by developers to facilitate relatively minor variations to development provisions is eroding the integrity of the Scheme. By increasing the role of policy to guide decision making, more innovative proposals or site specific variations can be accommodated without the need for ad hoc amendments to the Scheme or EDPs.

Action under this reform is to:

- 1.5.1. *Amend the NTPS to consolidate policy currently in Part 2, Part 8 and Schedule 2 within a new Part 2.*

1.6. Strengthen the linkages between strategic planning and development assessment

A consistent theme from consultation was that decision making needs to be better informed and consider social, environmental and economic issues holistically and within a local context to deliver better development outcomes. There was concern that the exercise of discretion was too “tick the box” and that decisions are being made without a view to delivering good planning outcomes that reflect community aspirations documented in policy.

The Act and Scheme do establish a role for policy in informing decision making but the provisions that guide the consideration of policy are often ambiguous and sometimes conflict. Relevant provisions and associated issues are summarised below.

Section 52 of the Act establishes that the DCA must not consent to a development that is contrary to policy, as referred to under section 9(1)(a), without approval from the Minister. Current application of this section can lead to the “tick the box” approach to assessments and decisions.

Clause 2.5 of the NTPS also describes the parameters around the exercise of discretion by the consent authority and only requires consideration of Parts 4 and 5 of the Scheme. It does not specify the need for the consent authority to consider policy within Part 2, Part 3, Part 8 and Schedule 2. Amendment will clarify that any policy may inform decisions.

Clauses of the NTPS relevant to how policy guides development decisions include:

- clause 1.2 – establishes that provisions of Part 3 (Zones) prevail over Part 8 (area plans) in the event of an inconsistency;
- clause 2.7 - requires the consent authority to consider policies in Part 8 or Schedule 2;
- clause 2.2 4(c) - provides for the granting of consent for development that does not accord with the provisions of the scheme.

When considered together, clauses 1.2, 2.7 and 2.2 4(c) suggest that:

- area plans cannot permit a use that would be unlawful under a Zone; and
- area plans can prevail over development provisions (in Parts 4 and 5); but
- subclause 2 of 2.7 creates confusion over the role of policy by suggesting policy, which is in fact part of the scheme, is overridden by the planning scheme where there is an inconsistency

Furthermore, while zones prevail over area plans and development provisions, zone purpose statements (contained within Part 3) are not clearly identified as a consideration in the exercise of discretion.

Review of clauses 1.2, 2.2 4(c), 2.5, and 2.7 in association with reforms 1.4 and 1.5 which restructure the planning scheme will reinforce the importance of policy.

This will contribute to better consideration of overall planning implications in decision making and better development outcomes. The proposed amendments below should be considered in the context of potential amendments discussed at 1.4 and 1.5. Actions under this reform are to:

- 1.6.1. *Amend section 52 of the Act to reflect its intended purpose - to require that the DCA may grant consent to a development that is contrary to a policy in the NTPS only if the Minister gives approval.*
- 1.6.2. *Amend clause 2.5 of the NTPS to clarify that in considering an application for consent, in addition to the existing matters to be considered, the consent authority must also consider the identified purpose of the zone and policy in proposed Part 2 of the Scheme.*
- 1.6.3. *Amend clause 2.7 of the NTPS to clarify that interpretation of the Scheme must have regard to the policy in proposed Part 2.*
- 1.6.4. *Include an introduction to the proposed Part 2 to clarify that interpretation of provisions in Parts 4 and 5 must be consistent with applicable policies in Part 2.*

1.7. More robust planning scheme amendment processes

Community concern about the transparency, openness and accountability of the planning system underpins the overall reform. Consultation has clarified that some of this concern results from a lack of criteria and guidelines for decision making, particularly in relation to the Minister's role.

The overwhelming suggestion for improving the transparency and accountability within the system was to document matters the Minister considers when making decisions in relation to proposals to amend the NTPS. It is noted that some respondents also suggested that the Minister should not be responsible for making rezoning decisions; however, limiting the Minister's powers is not currently being considered.

Part 2 of the *Planning Act* establishes the legislative basis for the making and amending of planning schemes. There is considerable detail around the processes associated with exhibition and the subsequent reporting on matters raised during exhibition. There is, however, nothing to guide a person or body making a request to amend the scheme, nothing to guide the Minister in considering such a request, and no criteria for the Minister to consider when initiating an amendment on his or her own initiative.

The Minister has a responsibility to make a decision based on the merits of a proposal. The establishment of clear and detailed criteria to guide the Minister's decisions will improve transparency and accountability by improving applicants' and submitters' understanding of what matters were considered and how these influenced the reasons for a decision. This approach also has the potential to draw attention to the purpose of the *Planning Act* and to reinforce the significant role of policy in informing decisions.

Concern was also raised about the lack of timeframes for the Minister to make a decision and the uncertainty created by the open ended deferral of proposals to amend the scheme. Given that planning scheme amendments represent changes of policy often requiring detailed and complex investigations, prescribed timeframes would be difficult to accommodate. A formal legislative framework around the deferral of consideration of proposed planning scheme amendments would, however, improve the transparency of the system.

Actions under this reform are to:

1.7.1 Revise Part 2 of the Act to establish:

- *criteria to inform the Minister's consideration of a proposal to amend the planning scheme with reference to the overall objectives of the Act and to policy within the NTPS;*

- *matters to be addressed when lodging an application to the Minister to amend the Scheme;*
- *requirements for public exhibition of a proposal to amend the NTPS in line with changes proposed for development applications (Reform 2.4);*
- *a formal mechanism for deferral of consideration of either an initial request to the Minister to amend the scheme or a decision about an exhibited proposed amendment; and*
- *the opportunity to lapse an application in the event there is no response from a proponent to a request for further information.*

1.8. Improved integration of planning and infrastructure

Land use plans establish a framework for future development, including consideration of existing infrastructure capacity and identification of future infrastructure needs to support growth. However, land use plans do not provide detailed guidance on how infrastructure will be constructed or paid for. Current provisions within the *Planning Act* around developer contributions also lack the depth to coordinate infrastructure provision.

Consultation acknowledged the benefits of strategic land use plans but emphasised the need to better integrate provision and funding of infrastructure with land use planning. In particular, a lack of necessary headworks infrastructure to support further growth is often a significant hurdle for developers. Without direction on the provision of these headworks, developers and residents lack the confidence to predict the timing and ability to proceed with development opportunities identified in a land use plan.

Preparation of infrastructure plans to support land use plans would provide the detail needed to coordinate delivery of necessary infrastructure by the responsible agencies in an efficient, cost effective and logical manner. Infrastructure contribution plans would further aid the achievement of this through equitable management of contributions from private developers.

Actions under this reform are to:

- 1.8.1. *Review Part 6 of the Act to establish a process to facilitate the development of infrastructure plans and infrastructure contribution plans.*
- 1.8.2. *Develop guidelines / principles to support the preparation, format and content of infrastructure plans and infrastructure contribution plans.*

2. Development Assessment and Application Processes

The NT development assessment process is consistently ranked by industry as the best performing in Australia reflecting relatively fast processing times and for having a single consolidated planning scheme with easy to interpret clauses and definitions. However, feedback during consultation was that there is the need to increase genuine participation by the community in the development assessment process whilst at the same time enabling responsible development in a timely manner. An extensive review of best practice development assessment processes has identified a number of reform areas that would improve community understanding, enshrine genuine participation and build confidence that development proposals are appropriately assessed.

2.1. Improve information on development assessment processes

The need to improve the available information about development assessment processes was highlighted through direct comments as well as feedback from submissions. Overall there is limited understanding of the planning system amongst the general community. Specific issues included difficulties accessing DCA reports and reasons for decisions, and the need for flexible options for those who cannot attend DCA meetings during business hours.

This reform focuses on improvements to information about development assessment processes and links with other reforms to make it easier for all members of the community to understand and navigate the planning system and associated decision making processes. Evolution through Phase 2 reforms will further support the use of interlinked, online resources that can be accessed through mobile devices.

Actions under this reform are to:

- 2.1.1. *Revise and make it easier to find factsheets and guides on development application processes.*
- 2.1.2. *Develop new factsheets for making submissions and other processes for community involvement.*
- 2.1.3. *Improve online access to DCA reports and decisions.*

2.2. Pre application consultation by applicants

During the consultation process, concerns were raised by the community that the mandatory public exhibition period of 14 days for development applications and 28 days for concurrent applications provides insufficient time for the community to consider the proposal and to put forward their concerns. In particular, many concerns related to developments with potential for significant impacts on amenity or the environment.

This reform responds in part to these concerns by requiring applications for development likely to have high impacts on amenity to undergo mandatory pre application community consultation. This will provide greater opportunity for the community to provide upfront input into proposals.

Actions under this reform are to:

- 2.2.1. *Introduce a requirement that a new category of development, 'High Impact Development', undergo mandatory pre application community consultation to inform the community of a proposal. This also includes concurrent applications proposing a High Impact Development. This will better ensure communities are informed about development proposals and have an opportunity to contribute their views before a formal planning application is submitted. This process also provides the proponent with the opportunity to mitigate negative impacts where possible, address community misunderstandings and address any community issues.*

- 2.2.2. *Develop and introduce a new Schedule to the Regulations that prescribes the types of development subject to the pre application consultation requirements.*
- 2.2.3. *The applicant would be responsible for public notification of the proposal and conducting any consultation activities.*
- 2.2.4. *The applicant would be required to include a consultation report outlining the consultation undertaken, the issues raised by the community, and how these issues have been considered in the formal planning application.*
- 2.2.5. *The application, once lodged, would still undergo the existing public exhibition process and the community can still lodge submissions.*

2.3. Simplify notification requirements for minor developments

Public notification requirements for development applications currently consist of placement of an advertisement in the newspaper and erection of a sign on the property or, for minor types of development, limited neighbour notification by written notice.

The community raised concerns during the consultation process that notification of proposals was insufficient, particularly at the local community level. Industry concerns were that full public notification of minor developments was excessive as broader public interest is unlikely and that a simpler application process for minor waivers to development provisions should be introduced.

This reform responds to both concerns by expanding the notification of minor developments at a local community level and removing the need for their newspaper advertisement. The types of applications subject to these requirements have also been broadened in recognition of industry concerns and their low potential for public interest beyond the local community. The introduction of a streamlined application process for waivers to provisions will form part of the Phase 2 reforms.

Actions under this reform are to:

- 2.3.1. *Introduce a new category of public notification, 'local notification', for minor development applications (i.e. reduced front setback for carport) to include neighbour notification and sign only. Neighbour notification to be increased to include all adjoining property owners.*
- 2.3.2. *Applicant is responsible for the printing and erection of sign, plus neighbour notification.*
- 2.3.3. *Local notification is proposed to apply for the following application types:*
 - *additions or alterations to a single dwelling with a reduced setback to any boundary. (i.e. Carports, sheds, shade sails etc.)*
 - *single dwellings with a reduced setback to any boundary*
 - *single dwellings with non-compliant private open space*
 - *single dwellings within a defined flood zone*
 - *additions or alterations to an existing multiple dwelling unit*
 - *shed addition to existing multiple dwellings with reduced setbacks*
 - *additions to existing warehouse with reduced setbacks*
 - *multiple dwellings in a single storey building within Zone MD.*

2.4. Update requirements for signs placed on land

The existing development proposal signage provides limited information to inform the community of the detail of the development. The provision of additional information on the sign in a format that is easily understood and compatible with hand held devices such as

mobile phones would encourage community input and reduce objections based on misunderstanding of specifics.

Actions under this reform are to:

- 2.4.1. *Enhance the specifications for signs to include more visual information to identify key aspects of the proposal such as height, site coverage and setbacks to boundaries.*
- 2.4.2. *Explore the use of QR codes or similar technology to allow the public to link to details of a development proposal via a hand held device.*
- 2.4.3. *Applicant to be responsible for printing and erection of signage.*

2.5. Expand the role of electronic services for development notifications and formal correspondence

Revision of the requirements for the service of documents and their transmission electronically will facilitate the use of online systems. The existing use of onsite signage and newspaper advertisements to advise of proposed developments provides only limited exposure to a community that is increasingly using digital media as the primary means of communication.

Public submissions generally supported the greater use of technology to improve community access to information about the planning system and development proposals. However, some sectors of the community have limited access or familiarity with electronic systems and information will continue to be available in traditional print format.

Actions under this reform are to:

- 2.5.1. *Amend the Act to enable the use of electronic services for the service of notices and other documents. The use of newspaper advertisements for statutory notices to be revised to provide for the option of future transition to electronic services.*
- 2.5.2. *Explore the potential to use platforms such as Facebook or mobile applications to display information about development proposals.*
- 2.5.3. *Allows the public to register to receive email alerts about development proposals in their neighbourhood or postcode.*

2.6. Promote contact between Planning Officer and submitters on development applications

Community confidence in the planning system is negatively impacted by the existing assessment processes for development applications, particularly in relation to insufficient recognition of issues raised in submissions in assessment reports. The perception is that DCA decisions give little weight to submissions.

Improving engagement with submitters will ensure that community views are valued and will improve community understanding about what issues are considered when making decisions.

Action under this reform is to:

- 2.6.1. *Introduce a new assessment process requiring Planning Officers to contact submitters to clarify their concerns and to discuss how they will be assessed against the provisions of the Scheme. This will enshrine genuine community participation in the consideration of development applications and strengthen the relationship between the community and the assessment process.*

2.7. Facilitate post exhibition / pre determination conferences between applicants and submitters

Submissions during consultation raised that there is currently no process that allows applicants and submitters to informally discuss proposals prior to the public hearing held by the DCA. Voicing issues at the DCA hearing is considered by many to be too late in the process to allow genuine consideration of their concerns. Service authority and industry submissions raised similar concerns and suggested that an opportunity to resolve issues prior to the DCA meeting would be beneficial.

Improved consultation between applicants and service authorities around technical requirements will also assist in clarifying the scope of conditions on development permits.

Actions under this reform are to:

- 2.7.1. Introduce that planning officers offer to convene a voluntary meeting between applicants and submitters following public exhibition to provide opportunity for the parties to discuss any concerns and to identify possible solutions. The outcomes of the meeting are to be included in the assessment report prepared for the DCA.*
- 2.7.2. Introduce that planning officers convene a meeting between the proponent and service authorities upon request to help to resolve technical issues prior to the DCA meeting.*

2.8. Reform the Development Consent Authority

The DCA is the public face of the decision making process. A recurring theme during community consultation was that members of the DCA were not adequately skilled or trained to perform their duties and that “major” reform of the DCA was required to improve community confidence.

The community's confidence that the correct decisions are being made will be enhanced if members have appropriate skills, and meetings are conducted in a way that values community participation and demonstrates proper consideration of the issues.

Actions under this reform are to:

- 2.8.1. Rename the Development Consent Authority the “Development Control Authority” to better reflect its role in assessing development proposals against the Planning Scheme.*
- 2.8.2. Introduce new requirements for appointment of specialist members to provide expertise in relevant fields.*
- 2.8.3. Deliver training and ongoing professional development for DCA members.*
- 2.8.4. Introduce new requirements for the Chair of the DCA to be legally qualified, in order to prevent errors of law being made.*
- 2.8.5. Clarify the role of local government nominated members on the DCA and the process for their appointment and termination.*
- 2.8.6. Introduce a DCA member Code of Conduct.*
- 2.8.7. Introduce the requirement for the DCA to provide an annual report for the Minister to table in the Legislative Assembly.*
- 2.8.8. The DCA to establish procedures to better disseminate decisions following meetings and to record voting by individual members in the minutes.*
- 2.8.9. Clarify that the assessment reports are provided by the Department to the DCA and are only one of the matters considered by the DCA in making its decision.*

3. Review of Decisions

The ability for a third party to appeal decisions in relation to development applications (aka rights of third party application for review) was introduced in the NT in 2005. This allowed, for the first time, the ability for third parties to seek independent review of a decision to grant a development application subject to a number of qualifying criteria. This right only applies to a specified classes of development applications. Criteria included that the location of the development must be in a residential zone or immediately adjacent, and the person seeking review must have made a valid submission during the exhibition period of the development proposal.

The challenge for the NT is to strike a balance between the rights of applicants to apply for development consent and the right of the community to seek independent review of decisions that have the potential to adversely impact on amenity.

3.1. Review of third party appeal rights

Third party appeal rights allow people who feel they would be negatively affected by a proposal to dispute a decision by a consent authority to grant a development permit. The ability to lodge a third party appeal is, however, subject to a number of criteria to ensure that development is not delayed unnecessarily and/or by a person who is not really affected by the development proposal. For example, third party appeal rights are available against most types of development adjacent to an urban residential zone because there is a high amenity expectation in residential areas. This does not include development of dwellings not exceeding two storeys because this is be considered relatively standard for a residential zone and has a low risk of affecting amenity.

Submissions generally supported the extension of third party appeals rights to lots within Zone RL (Rural Living) on the basis that these lots are primarily used for residential purposes with the same high amenity expectation as other residential zones.

Action under this reform is to:

- 3.1.1. *Extend third party appeal rights to include land within Zone RL (Rural Living) of the NTPS.*

3.2. Time limiting deferrals

The Development Consent Authority has the ability to defer consideration of an application if it considers it needs the applicant to provide additional information in order to make a decision. As there is no maximum time period specified for a deferral, considerable time can elapse between when an application underwent public consultation and when it is finally considered by the Development Consent Authority. Community confidence in the transparency of the assessment process is eroded when the public consideration of applications is delayed.

Action under this reform is to:

- 3.2.1. *Introduce a time limit for deferral of an application and associated requirements.*

3.3. EDPs and Concurrent Applications

EDPs provide opportunities for development of land that would otherwise be unlawful while concurrent applications provide opportunities for an application comprising both an amendment proposal and a development proposal. EDPs are determined by the Minister rather than the DCA.

Consultation has identified a range of views around EDPs and concurrent applications. Some in the community expressed concern about the very concept of concurrent applications whereas others support them as they provide more detail through the process. A range of measures were suggested to address perceived problems with the process including:

- increasing the role of the NTPC in the conduct of hearings;
- deferring the making of the planning scheme amendment until the development has been completed;
- the need for independence of decision making; and
- making reports available to the public.

While further investigations to inform a review and potential renewal of these processes are undertaken, some interim improvements are proposed in Phase 1.

This reform comprises interim improvements to enhance consistency between processes and requirements for exceptional development permits, concurrent applications, development permits and planning scheme amendments. It is supported by the amendment to the Act flagged at reform 1.7 to provide criteria for the Minister's consideration.

Actions under this reform are to:

- 3.3.1. *Introduce a time limit for commencement (aka a base period) on exceptional development permits consistent with standard development permits.*
- 3.3.2. *Make Reporting Body Reports for both Exceptional Development Permits and Concurrent Applications to the Minister publicly available.*

4. Compliance and Enforcement

A strong theme arising from consultation was the need to improve the effectiveness of compliance activities in recognition of the value the community places on the environment and amenity of our communities. Over recent years the number and severity of development offences has increased and the DCA needs to be provided with effective powers to discourage offences; require rectification of any non-compliance; and to recover costs if prosecution is necessary.

4.1. Existing Use Rights

Existing use rights are recognised in planning legislation within Australia to protect lawfully established uses or developments that would otherwise become unlawful following an amendment or introduction of a planning scheme. Currently the administration of existing uses provides no certainty for the owners or operators who have significant investment and rely on the continuing use for their livelihood, nor does it allow effective compliance management to allay the disquiet from adjoining and nearby residents who consider the ongoing use inconsistent with their reasonable expectations of amenity.

Actions under this reform are to:

- 4.1.1. *Introduce new powers for the DCA or Minister to develop Guidelines to provide clarity around the operation of existing uses.*
- 4.1.2. *Introduce a new provision that allows a person to rely on the establishment of an existing use right if the use has been carried out continuously for 15 years. This will allow existing uses to be registered and effectively monitored for compliance.*
- 4.1.3. *Introduce a new provision allowing any person to seek review of a decision by the DCA in relation to an alleged breach of existing use rights to the Northern Territory Civil Administrative Tribunal (NTCAT). This will allow independent review of the decision and provide over time additional guidance on the administration of the existing uses.*
- 4.1.4. *Introduce a 'Compliance Certificate' process for existing use rights holders that can be used to formally establish the particulars of the right (type of activity permitted, area and intensity of use).*
- 4.1.5. *Introduce the right of review for a decision by the DCA to refuse an application for a 'Compliance Certificate' to the NTCAT.*

4.2. Enforcement and the role of the DCA

The DCA currently has limited enforcement powers under the Act without resorting to prosecution of alleged offences in the Local Court. The DCA has no power to order rectification works or to order demolition or removal of unapproved works. The introduction of a new range of enforcement powers will allow the DCA, and Courts, if necessary, to effectively take action in the event of breaches of the *Planning Act* and Scheme.

The following reforms have been identified:

- 4.2.1. *Introduce new powers for the DCA to issue a 'Show Cause Notice' requiring a person alleged to be in contravention of the Act to make representation to the DCA as to why an Enforcement Notice should not be issued. This will also provide for the person making the complaint to attend the DCA to also make representations.*
- 4.2.2. *Introduce new powers for the DCA to issue an "Enforcement Notice" that can require a range of remedies to non-compliance including ceasing an activity, removing or demolishing a building or lodgement of a development application.*

- 4.2.3. *Introduce new powers for the DCA to issue an “Enforcement Notice” immediately on its own initiative for urgent issues such as clearing of native vegetation; demolition of a building; development causing erosion or environmental harm;*
- 4.2.4. *Create a new summary offence of failure to comply with an ‘Enforcement Notice’ to be dealt with by the Magistrates Court with the ability to impose a penalty, compensation and orders.*

4.3. Appeals and the role of the NTCAT

There are currently no provisions within the Act that allow a person to seek independent review of enforcement decisions by the DCA or to appeal orders seeking cessation of a development or use without resorting to an application to the Supreme Court. The cost of taking a matter to the Supreme Court and the risk of costs in the case of an adverse decision puts this beyond the means of most people. Expansion of the NTCAT role to include the ability for a person to seek review of enforcement decisions by the DCA would allow for independent review and over time provide guidance on the interpretation of the Act.

Actions under this reform are to:

- 4.3.1. *Introduce that a person unsatisfied with the DCA’s handling of a complaint may apply to the NTCAT for an Enforcement Order.*
- 4.3.2. *Introduce the right of review for a person subject to an “Enforcement Notice” issued by the DCA to the NTCAT.*

4.4. The role of Authorised Officers

Authorised Officers are appointed to conduct compliance investigations on behalf of the Minister and are the primary point for receipt of complaints, investigation of complaints, preparation of briefings on enforcement matters to the DCA, monitoring of compliance with decisions of the DCA, and liaison with complainants. In order to ensure that Authorised Officers have effective powers to conduct their investigations, actions under this reform are to:

- 4.4.1. *Introduce powers for an Authorised Officer to take any action that is necessary to find out if any person has contravened the Act including taking measurements/samples, photographs, and to require a person to produce any documents considered necessary*
- 4.4.2. *Create new offences for assault, delay, obstruct, hinder or impeding an Authorised Officer, failure to produce records or making false or misleading statements.*
- 4.4.3. *Introduce the requirement for an Authorised Officer to be issued with a photographic identity card, for the card to be produced and displayed when exercising a power under the Act and to create an offence for failure to return an identity card if appointment ceases.*
- 4.4.4. *Clarify that Authorised Officers are appointed by the Chief Executive and that police officers should be deemed authorised officers.*
- 4.4.5. *Provide a mechanism, though the Regulations, for the Chief Executive to appoint local government employees as Authorised Officers subject to conditions.*

4.5. Revision of penalty units

A jurisdictional review has identified that the current penalties for offences are low compared to other jurisdictions and do not reflect the bad faith of the breach nor community expectations around protections for environment, heritage and amenity. The current maximum penalty does not reflect the value the community places on compliance with the Scheme. In particular this is the case for offences that can have significant amenity impacts such as clearing of native vegetation and unapproved industrial uses in a residential area.

Action under this reform is to:

- 4.5.1 *Increase penalties to a level so they provide effective deterrent, reflect the seriousness of the breach, and are consistent with comparable offences in other jurisdictions.*

4.6. Introduction of penalty infringement notices

The use of Penalty Infringement Notices (PINS) has proven effective in other jurisdictions in building a culture of compliance within industry and are typically restricted to offences that have an immediate short term impact on amenity or the environment. PINS are best used to encourage compliance when immediate rectification is relatively easy and further prosecution would be excessive. Examples include minor failure to comply with Development Permit conditions when undertaking works (hours of construction, erosion and sediment control measures) or non-compliance with Scheme provisions (advertisement signs).

Action under this reform is to:

- 4.6.1. *Introduce the use of PINS by Authorised Officers for a prescribed range of offences listed in the Regulations.*

4.7. Deeming Provisions

The prosecution for offences against the Act in the past has proven difficult in cases where it has been unclear whether it was the owner, occupier or another third party that carried out the offence. Other jurisdictions have found it necessary to specify people who are criminally liable for breaches of the planning scheme on land. Specifically, the owner and occupier of the land are each deemed guilty if the land is used or developed in contravention of the planning scheme or permit. A contractor working without a required permit is also considered guilty of an offence.

By deeming certain persons to be liable, the onus of proof for who is responsible is effectively reversed. Prosecution can proceed on the basis that an offence has occurred, with each deemed person held responsible and each required to prove they are not guilty.

Action under this reform is to:

- 4.7.1. *Introduce deeming provisions that specify the owner and occupier is guilty of an offence if the land is used or developed in contravention of a planning scheme or a permit.*

4.8. Liability of office holders

The number of body corporates in the Northern Territory has increased in recent years. Therefore, it is considered necessary to now include responsibility for offences to officers of bodies corporate if they failed to exercise due diligence to prevent the commission of the offence by the body corporate.

Action under this reform is to:

- 4.8.1. *Introduce that office holders of body corporates be included as liable for their body corporate where they failed to exercise due diligence.*

4.9. Time to commence prosecution

The Act currently provides for a two-year period to commence prosecution from the time any member of the Police Force or an Authorised Officer becomes aware of the commission of the alleged offence. However, it is unclear if the DCA has the ability to issue an Enforcement Notice if a development or use contravenes the Scheme at any time regardless of when it first became aware of the alleged offence.

The DCA should have the ability to issue an Enforcement Notice if a development or use contravenes the Scheme at any time regardless of when it first became aware of the alleged offence. This is to ensure action can be taken against continuing offences that can occur sporadically over several years. For example a mango packing shed may have a history of non-compliance with the conditions on its development permit but due to the seasonal nature of the use, compliance may vary from year to year. The DCA could, if necessary, issue an Enforcement Notice each year that a breach of operating conditions occurs.

Action under this reform is to:

- 4.9.1. *Clarify the wording of the Act that the two-year limitation does not interfere with civil enforcement action, and that persons can be prosecuted for ongoing breaches of the scheme, provided the breach was ongoing within the previous two years.*

Have Your Say

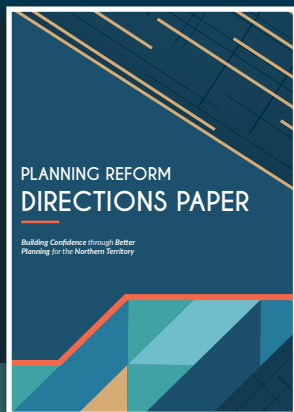
Building Confidence through Better Planning for the Northern Territory

The Northern Territory Government is asking for further feedback on the more detailed proposals to reform the Northern Territory Planning System.

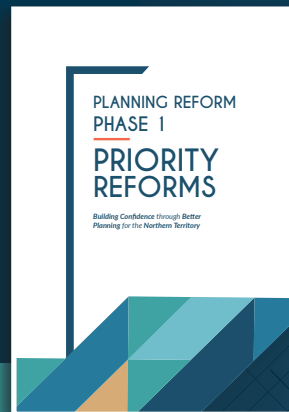
Territorians want a planning and development system that is open, transparent and accountable; that listens to Territorians and gives confidence that the right planning decisions are being made.

The Territory Government heard the views of a wide range of stakeholders through the Stage 1 consultation process in late 2017. The following documents continue the discussion on improving the Northern Territory Planning system.

The Northern Territory Government is committed to providing the best planning system for the Territory. Planning done well is our legacy for the future and the Government wants to hear your views about whether the directions of the proposed reforms will help to improve planning outcomes for all Territorians.



- a. Directions Paper – gives a simple, accessible explanation of the Government's strategy to deliver planning system reform and introduces two phases through which reforms will be developed and delivered.



- b. Phase 1 Priority Reform Paper – gives a more detailed, technical explanation of the issues and proposed reforms to be developed and implemented in Phase 1.

How you can get involved:

Elton Consulting have been engaged as an independent consultant to manage the Stage 2 community consultation process.

If you would like to attend a workshop to discuss the proposed reforms please contact Elton consulting on 08 8946 0600.

All submissions to the Stage 2 consultation process must be made in writing.



Detailed submissions can be lodged until 7 September 2018 by email: planningreform@nt.gov.au; or by post to:

**Planning Reform
Lands Planning
Department of Infrastructure, Planning and Logistics
GPO Box 1680, DARWIN NT 0801**





TECHNICAL Q&A

All information contained in this Q&A relates to the current direction of proposed Phase 1 reforms. This Q&A should be read alongside the Phase 1 Priority Reforms paper. Details of the proposed reforms are subject to change following the outcomes of consultation.

QUESTIONS & ANSWERS FOR PLANNING REFORM CONSULTATION STAGE 2

1. What are High Impact Development proposals?

High Impact Development proposals are for developments that have the potential for significant impact on the amenity or environment of the local community. These are proposed to include buildings more than 3 storeys in Alice Springs and Katherine; buildings more than 10 storeys in Darwin and Palmerston; construction of more than 50 dwellings on a site; buildings with a gross floor area more than 10,000m² except within Zones DV, GI and FD of the NT Planning Scheme or for the purpose of a school or sports stadium; Animal boarding or Intensive Animal Husbandry within 500m of residential zoned lots; and new hotel or live music venues within 50m of residential zoned lots (excluding Zone CB).

2. How will Pre-Application consultation work?

Developers that are proposing developments defined as High Impact Development must undertake community consultation prior to lodging a development application. The developer must publicly advertise details of where the community can get information on the proposal, how the community can provide feedback and where and when a face to face community engagement session will be held. Community engagement events must be conducted within the local community most likely to be interested in the proposal. The developer will be responsible for making concept drawings and information available that contains sufficient detail for the community to understand the scale and likely impacts of the development.

The consultation process provides opportunity for the community to have input at an early stage and to understand the potential impact of the proposal. The benefit to the developer is that they can identify aspects of the proposal that are supported by the community and whether changes to some of the details of the proposal would address community

concerns. Following community consultation, the developer may proceed to lodge a development application which must include a Consultation Report detailing the consultation process, issues raised by the community and any modifications made as a result of the consultation process. The development application will be subject to the normal public notification process and written submissions may still be lodged.

3. What is Local Notification of development applications?

Local notification replaces what was previously called 'Neighbour Notification' and improves the notification of the local community of minor developments. Local notification will require that a sign be placed on the land and the written notification of adjoining landowners. Under 'Neighbour Notification' there was no requirement for a sign and only the landowner/s immediately adjoining the affected boundary was required to be notified. The applicant will be responsible for the printing and erection of the sign for a 14-day period and for the written notification of all adjoining landowners. The sign and notices will provide details of where the application may be viewed or accessed electronically. The local council will still receive a copy of the application for comment.

The range of proposals suitable for Local Notification have been increased as enhanced notification of the local residents most likely to be affected is more appropriate for minor developments than the traditional newspaper advertisement and sign.

4. Why are new enforcement powers necessary?

The ability to effectively manage compliance with the Planning Act has been limited by the current provisions of the Act. This is particularly the case in instances where a development or use has commenced without a development permit. Currently it is difficult without

resorting to Court action to enforce that a landowner must cease a use and rectify any unapproved action taken. The community has a high expectation that the requirements of the Planning Act and Scheme are consistently applied and that when alleged breaches occur these are effectively investigated and that appropriate action is quickly taken by the consent authority.

The introduction of 'Enforcement Notices' will allow the consent authority to order that a use or development cease, and also to order that a specified action must be taken. This removes the need to obtain a Court order and improves the time frames to achieve compliance. The proposed changes not only increase the ability of the consent authority to take action, they also include the opportunity for independent review of enforcement decisions taken by the consent authority by the Northern Territory Civil and Administrative Tribunal.

The proposed changes to the role and responsibilities of Authorised Officers will provide them with the necessary powers to conduct investigations and include appropriate safeguards to ensure powers are not abused.

5. What changes are proposed for the Development Consent Authority?

The Development Consent Authority (DCA) is appointed by the Minister to carry out a range of functions including making decisions on development applications. The renaming of the Development Consent Authority to the Development Control Authority will more accurately reflect all of the functions carried out by the DCA and remove any misconception that it exists solely to approve developments.

The consideration of development applications is becoming increasingly complex and it is important that the members of the DCA have the necessary skills to not only undertake assessment of applications but also in the conduct of meetings and community consultation. The introduction of mandatory training for all members prior to participating in meetings will ensure that they have the necessary background knowledge to properly carry out their role.

The introduction of specialist members with professional skills and experience in areas relevant to the assessment of development applications will bring a higher level of scrutiny to the consideration of proposals. The important role of local government nominated members on the DCA as representatives of the local community who bring an intimate knowledge of local issues and constraints to the consideration of applications remains unchanged.

Eligibility to be appointed as Chair of the DCA will be restricted to persons with appropriate legal qualifications and experience in recognition of the positions important role in ensuring the DCA is correctly undertaking its functions.

A Code of Conduct will be introduced for the DCA to ensure that members fully understand their obligations and responsibilities. This will ensure that members operate professionally, honestly and ethically at all times. Failure to comply with the Code of may lead to termination of appointment by the Minister.

Further measures to improve the transparency of the DCA are the introduction of the requirement for the minutes to record the voting by each member on development applications and for the provision of an Annual Report which must be tabled in the Legislative Assembly by the Minister.

6. How will signs advising of developments and planning scheme amendments change?

The existing Yellow for Development and Pink for Planning Scheme Amendment signs will be changed to improve the information available to the public.

Signs will now need to include more information with greater use of graphics such as concept drawings or images, site plans, key information about building height, site coverage and setbacks. The information displayed will depend on the type of proposal and guidelines will be published to set minimum requirements. The use of technology such as QR codes will allow easy access to the detailed information about proposals through hand held devices such as smart phones.

7. Will the Minister continue to be solely responsible for making rezoning decisions?

Yes, the Minister will continue to determine planning scheme amendments including rezoning applications. However, new clear and detailed criteria will be introduced to guide the Minister's decisions by reinforcing the role of policy in achieving the purposes of the Planning Act.

Applicants will also need to address these new criteria when proposing a planning scheme amendment.

8. How will access to information about development proposals be improved?

Information about development proposals needs to be available in new ways that embrace the community's day to day reliance on digital media. It is proposed to

use social media platforms such as Facebook or mobile applications to display information about development proposals. The public will also be able to register to receive automatic email alerts about development proposals in their neighbourhood or postcode.

As some sectors of the community have limited access or familiarity with electronic systems, information will also continue to be available in traditional print format.

9. Has the process for making a submission on a development proposal changed?

No, written submissions on development applications must still be lodged within 14 days from the commencement of the notification period. Enhancements to our online systems are planned to make it easier for people to lodge a submission via email or through the Development One Stop Shop.

The Development Assessment Services team will be commencing a new procedure where all submitters will be contacted by a Planning Officer to clarify their concerns and to discuss how the issues they have raised will be assessed against the provisions of the Planning Scheme. Following close of the submission period, Planning Officers will now also offer to convene a voluntary meeting between applicants and submitters to provide opportunity for both parties to discuss any concerns and to identify possible solutions.

10. Are any changes to third party appeal rights proposed?

Yes, it is proposed to extend third party appeal rights to lots within Zone RL (Rural Living) of the NT Planning Scheme. These lots are primarily used for residential purposes with the same high amenity expectation as other residential zones. The existing criteria for rights of appeal for all other zones remain unchanged.

11. What changes to Exceptional Development Permits are proposed?

Exceptional Development Permits (EDPs) will have a default base period of two years introduced unless otherwise specified. Developments approved by an EDP which do not commence within the base period unless granted an extension by the Minister will now lapse. This encourages developments to proceed in a timely manner and ensures that the approval remains relevant to site and policy circumstances.

Reports by the Planning Commission to the Minister on EDPs will now be publicly available to improve the

transparency of the assessment process. A further review of EDPs will be undertaken as part of the Phase 2 reforms.

12. Why change Existing Use Rights?

Existing Use Rights are common in planning legislation to protect the continuation of the use of land for any purpose for which it was used immediately before a change in the planning scheme that prohibits such uses. This protects the right of the owner to continue use of the land for an existing purpose. However, the use must not increase beyond the scale and intensity of the original use.

The administration of existing uses currently provides no certainty for the owners who have significant investment and rely on the continuing use for their livelihood nor does it allow effective compliance management. The proposed changes will improve the certainty around the operation of Existing Uses and allow all parties to clearly understand the legitimacy of such uses and the limitations under which they must operate. By introducing that a person can rely on the establishment of an existing use right if they can demonstrate through an application to the consent authority that the use has been carried out continuously for 15 years will allow existing uses to be assessed, registered and more effectively monitored for compliance.

13. How will accountability for planning decisions be increased?

It is proposed to increase the role of the Northern Territory Civil and Administrative Tribunal (NTCAT) as an independent body that a person may apply to for review of a decision. The additional types of decisions will include;

- Review of an Enforcement Notice issued by the consent authority,
- Refusal of an application for a Compliance Certificate for an Existing Use,
- Deferral of a development application by the consent authority and
- Refusal of an application for an extension of time to provide information to the consent authority.

The Development Consent Authority (DCA) will be required to publish in its Minutes, identify the members vote on development application decision, and provide an Annual Report to the Minister on its activities which must be tabled in the Legislative Assembly.

The NT Planning Commission will be required to develop and publish a community engagement

charter and report annually on its performance. Reports from the Commission to the Minister for Planning about planning scheme amendment applications will also be made publicly available.

The Minister for Planning must, when making decisions about planning scheme amendments, consider the new criteria that require decisions to advance the purposes of the Act. The published Reasons for Decision will need to demonstrate how the Minister has properly considered these criteria.

Third Party Appeal rights will be extended to Zone RL (Rural Living) lots to allow decisions by the DCA to be independently reviewed by the NTCAT in certain circumstances.

14. What benefits are there for industry from the proposed reforms?

The changes to the Planning Scheme amendment process through the introduction of criteria will provide a clear framework for developers to address when preparing proposals for the Minister's consideration. The introduction of a formal process for pre-application consultation for High Impact Development proposals will allow developers to understand community concerns and issues early in the design stage and provides the opportunity to modify the proposal prior to lodgment. This has the potential to reduce adverse submissions during the assessment process and reduces the likelihood of community concerns impacting on the consent authority deliberations.

The convening of optional pre-determination conferences between developers and submitters provides a new opportunity for community concerns to be clarified and for potential solutions identified prior to the DCA meeting. Broadening the types of applications that are exempt from newspaper advertisement will reduce the cost for developers (in some cases) and will enhance engagement with the local community. The changes to the Planning Scheme that clarify and enhance the role of policy to inform decision making by the consent authority will facilitate more innovative development and provide more flexibility in responding to site constraints.

The development of improved guidance notes for industry professionals will assist in interpretation of various clauses of the Planning Scheme, and in particular new or changed provisions. The improved integration of land use plans with infrastructure plans will allow a more strategic and equitable approach particularly for the development of 'Greenfield' sites.

15. Why are penalty infringement notices necessary?

Penalty Infringement Notices (PINs) are part of the package of reforms to provide a contemporary, effective and flexible enforcement/compliance regime. PINs have proven effective in many jurisdictions as a simple way of dealing with minor compliance issues that have short term impact on amenity or the environment. PINs also provide an owner or occupier of land who has committed an offence a means of redressing that offence, without the cost of court appearances and the formal recording of a conviction or a finding of guilt.

PINs are only one of the tools available to ensure compliance with the Planning Scheme or development permits and they will be subject to guidelines to limit their use to circumstances where it is appropriate. A person may elect to either pay the fine or to seek review through the Court.

16. What changes to the NT Planning Scheme are proposed?

Strong feedback from the first stage of community consultation was that planning decisions need to consider both the 'big picture' and allow for local variations.

The NT Planning Commission, in consultation with the public, has produced a trove of policies (including area plans) that holistically consider environmental, social and economic needs at a regional to local scale. However, the current structure of the Scheme limits the ability of the consent authority to use these policies to effectively influence development.

In Phase 1 the NT Planning Scheme will be restructured to emphasise the importance of policy and clarify the hierarchy of the components of the Scheme. This will allow more innovative proposals or locality specific variations to be accommodated and reduce poor development outcomes that meet the minimum standards of development provisions but ignore higher level goals and principles from policy.

A number of suggestions were put forward during the first stage of community consultation around potential changes to specific clauses within the Scheme and these are being reviewed and assessed for introduction during Phase 2 of the reforms following the initial structural changes to the Scheme and *Planning Act*.



COUNCIL REPORT

Agenda Item Number:	15.2
Report Title:	Application for a new liquor licence for Pizza Hut at T36, T37 and T38 Coolalinga Central, Section 6493 (425) Stuart Highway, Coolalinga, Hundred of Bagot
Report Number:	18/0126
Meeting Date:	15/08/2018
Attachments:	Attachment A: Council's letter of comment Attachment B: Liquor Licence Application

Purpose

The purpose of this report is to provide a summary and assessment to Council of Application for a new liquor licence for Pizza Hut at T36, T37 and T38 Coolalinga Central, Section 6493 (425) Stuart Highway, Coolalinga, Hundred of Bagot.

Summary

The proposal is for a new liquor licence, which requires an application for Licensing NT, Department of the Attorney – General and Justice.

The report also presents for Council endorsement the Letter of Comment that will be provided to Licensing NT on 16/08/2018, included as Attachment A. The application included as Attachment B has been advertised for a liquor licence for the new Pizza Hut restaurant in Coolalinga.

This report recommends that Council support the application.

Recommendation

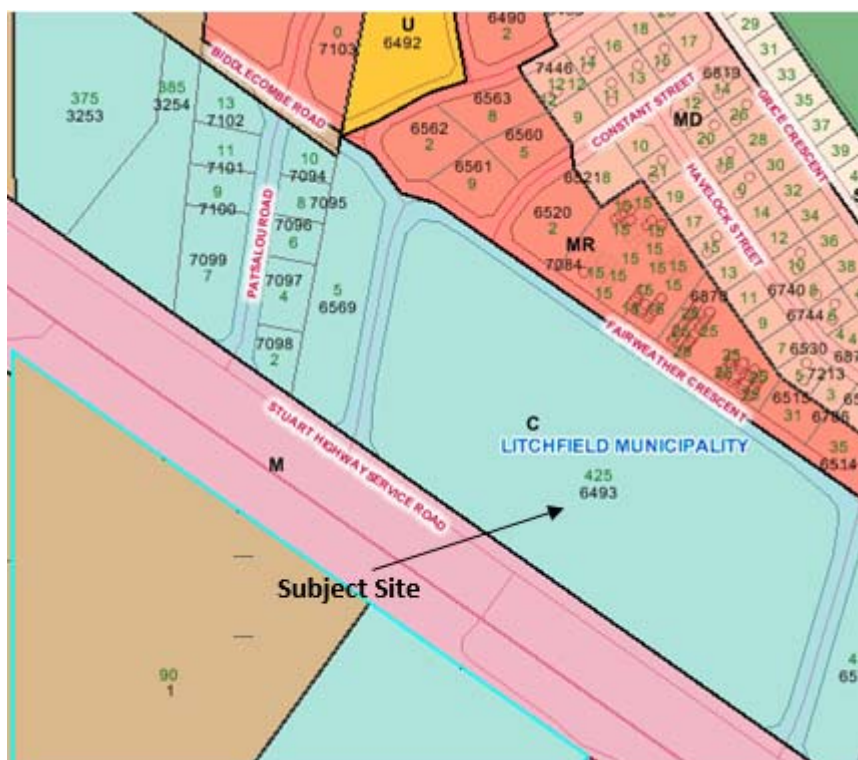
THAT Council endorse Attachment A, Council's Letter of Comment for an Application for a new liquor licence for Pizza Hut at Coolalinga Central.

Background

Site and Surrounds

The subject site is a restaurant that is proposed to be located at Coolalinga Central, the "Shopping Complex" with the new Coles and Kmart, directly across from The Meathouse. The applicant, Ritika Singhal, will be providing lunch and dinner options to customers. The hours of service for food and alcohol will be Monday to Sunday from 11:00am to 10:00pm. The application includes details about how the responsible serving of alcohol will be managed.

The restaurant is part of a global restaurant chain and the application indicates the restaurant will be focused on providing an all you can eat buffet and various pizzas, salads and dessert bars.



Source: NT Atlas and Spatial Directory

Conclusion

It is recommended that Council support the application as there are not expected to be any unacceptable negative impacts on the amenity of the neighbourhood, due to noise and negative social behaviour as the trading hours cease at 10:00pm and there are no outdoor service areas.

Links with Strategic Plan

Priority # 2 – A great place to live

Legislative and Policy Implications

Not applicable to this report.

Risks

Not applicable to this report.

Financial Implications

Not applicable to this report.

Community Engagement

Not applicable to this report.

Recommending Officer: Nadine Nilon, Director Infrastructure and Operations

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.

16 August 2018

Licensing NT
Department of the Attorney – General and Justice
GPO Box 1154
Darwin NT 0800

RE: Letter of Comment Liquor Licence Application

**Pizza Hut at Coolalinga
Shop T36, T37 and T8, Section 6493 (425) Stuart Highway, Coolalinga, Hundred of Bagot
Request for stakeholder comment regarding a liquor licence application**

Thank you for the opportunity to comment on the amended application for the Grant of a Liquor Licence referred to this office on 18 July 2018, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

Council supports the granting of this application for the following reasons:

- a) There are not expected to be any impacts on the amenity of the neighbourhood.
- b) All potential noise and negative social behaviour is reduced to hours before midnight and confined within the shopping complex.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully

Wendy Smith
Planning and Development Manager

Licensing NT

3rd Floor NAB Building
71 Smith Street
Darwin NT 0800

Postal Address

GPO Box 1154
DARWIN NT 0801

T 08 8999 1800

F 08 8999 1888

E

AGD.LRASComplianceDWN@nt.gov.au

File Ref: TRM No.

Litchfield Council

council@litchfield.nt.gov.au

Dear Sir/Madam

Re: Application for a new liquor licence – Pizza Hut Coolalinga

Pursuant to section 26 of the *Liquor Act* (the Act), Pizza Hut Coolalinga, has applied to the Director-General for the grant of Liquor Licence for premises situated at T36, T37, T38 Coolalinga Central, 425 Stuart Highway, Coolalinga, Northern Territory.

Can you please provide any comments you might have in relation to the application taking into account the Objects of the Liquor Act (the Act) as defined in Section 3 of the Act. Your comments should relate to matters the Director-General must consider when assessing an application, as detailed in Sections 3, 6 and 28 of the Act.

If you wish to lodge an objection to the application, or to any part of the application, you must comply with Section 47F of the Liquor Act and supply such objection within 30 days of the second posting of the public advertising. The closing date of objections is the 20 July 2018. If for some reason your objection cannot be supplied by the closing date, please make an application for an extension of time prior to the closing date.

Attached for your information is a copy of the applicants Business Plan, response to Public Interest Criteria, site plan and public advertisement. A copy of Sections 3, 6, 28 and 47F of the Act are attached for information.

Your comments or objection, if any, should be received no later than the **20 July 2018**. If you require an extension of time after the 20 July 2018 you can apply for an extension of time pursuant to section 127 of the Liquor Act.

If you require any further information in relation to this application, please contact Senior Licensing Officer Monique Politis on telephone 8999 1357 or via email AGD.LRASComplianceDWN@nt.gov.au

Yours sincerely

Monique Politis

3 Objects

- (1) The primary object of this Act is to regulate the sale, provision, promotion and consumption of liquor:
 - (a) so as to minimise the harm associated with the consumption of liquor; and
 - (b) in a way that takes into account the public interest in the sale, provision, promotion and consumption of liquor.

- (2) The further objects of this Act are:

- (a) to protect and enhance community amenity, social harmony and wellbeing through the responsible sale, provision, promotion and consumption of liquor;
- (b) to regulate the sale of liquor in a way that contributes to the responsible development of the liquor and associated industries in the Territory; and
- (c) to facilitate a diversity of licensed premises and associated services for the benefit of the community.

(3) A person exercising a power or performing a function under this Act must have regard to the objects of this Act and must exercise the power and perform the function in a way that is consistent with those objects.

6 Public interest criteria in respect of licence or licensed premises

- (1) When a person (a **decision maker**) has regard to the objects of this Act in:
 - (a) considering or determining an application under this Act in respect of a licence or licensed premises; or
 - (b) determining the conditions of a licence,

the decision maker must, when taking into account the public interest in the sale, provision, promotion and consumption of liquor, consider any of the criteria specified in subsection (2) that are relevant to the application or conditions.

- (2) For subsection (1), the criteria are the following:

- (a) harm or ill-health caused to people, or a group of people, by the consumption of liquor is to be minimised;
- (b) liquor is to be sold, or sold and consumed, on licensed premises in a responsible manner;

- (c) public order and safety must not to be jeopardised, particularly where circumstances or events are expected to attract large numbers of persons to licensed premises or an area adjacent to those premises;
- (d) the safety, health and welfare of persons who use licensed premises must not be put at risk;
- (e) noise emanations from licensed premises must not be excessive;
- (f) business conducted at licensed premises must not cause undue offence, annoyance, disturbance or inconvenience to persons who reside or work in the neighbourhood of the premises or who are making their way to or from, or using the services of, a place of public worship, hospital or school;
- (g) a licensee must comply with provisions of this Act and any other law in force in the Territory which regulate in any manner the sale or consumption of liquor or the location, construction or facilities of licensed premises, including:
 - (i) by-laws made under the *Local Government Act*; and
 - (ii) provisions of or under the *Planning Act*;
- (h) each person involved in the business conducted at licensed premises must receive suitable training relevant to the person's role in the conduct of the business;
- (i) the use of credit in the sale of liquor must be controlled;
- (j) practices which encourage irresponsible drinking must be prohibited;
- (k) it may be necessary or desirable to limit any of the following:
 - (i) the kinds of liquor that may be sold;
 - (ii) the manner in which liquor may be sold;
 - (iii) the containers, or number or types of containers, in which liquor may be sold;
 - (iv) the days on which and the times at which liquor may be sold;
- (l) it may be necessary or desirable to prohibit persons or limit the number of persons who may be on licensed premises, on any particular part of licensed premises or in an adjacent area subject to the control of the licensee;
- (m) it may be necessary or desirable to prohibit or limit the entertainment, or the kind of entertainment, which may be provided on licensed premises or in an adjacent area under the control of the licensee;
- (n) it may be necessary or desirable to prohibit or limit promotional activities in which drinks are offered free or at reduced prices.

(3) Also, the decision maker must consider:

- (a) any other matter the decision maker believes is relevant to the public interest in the sale, provision, promotion and consumption of liquor in respect of the application or conditions under consideration; and
- (b) any information or matter contained in an application, or otherwise provided or raised by the applicant, which is relevant to the public interest in the sale, provision, promotion and consumption of liquor.

28 Assessment of applications

(2) The Director-General must consider an application for a licence, the accompanying affidavit made under section 26A and the results of investigations conducted in relation to the application and make an assessment of the following matters:

- (a) the suitability of the premises in respect of which the application is made, having regard to any law of the Territory which regulates in any manner the sale or consumption of liquor or the location, construction or facilities of premises which are used for that purpose;
- (b) if the applicant is a natural person – the financial stability, general reputation and character of the applicant;
- (c) if the applicant is a body corporate – the business reputation and financial stability of the body corporate and the general reputation and character of the secretary and executive officers of the body corporate;
- (d) if the applicant is a federation of clubs – the business reputation and financial stability of each constituent club and the general reputation and character of the secretary and executive officers of each constituent club;
- (e) whether the applicant is a fit and proper person to hold a licence;
- (f) if a person is referred to in the affidavit under section 26A – whether that person is a fit and proper person to be an associate of a licensee;
- (g) if the Director-General considers it appropriate – whether any other associate of the applicant is a fit and proper person to be an associate of a licensee;
- (h) if the applicant has nominated a person under section 25(2) to be its manager – whether that person is a fit and proper person to be the manager.

(3) In assessing whether an applicant is a fit and proper person to hold a licence, the Director-General must have regard to any matters prescribed by the Regulations relevant to that assessment.

(3A) If an objection to the application is lodged under section 47F, the Director-General must comply with section 47G before making a decision on the application.

- (3B) In considering the application, the Director-General must consider:
- (a) any objection to the application made under section 47F; and
 - (b) any reply provided by the applicant under section 47G.
- (4) The Director-General may require an applicant, a nominee manager of the applicant or an associate of the applicant to provide the Director-General with the additional information or material that the Director-General considers necessary to make a proper assessment of the application.

47F Person may object to certain applications

- (1) Subject to this section, a person, organisation or group may make an objection to the following applications:
- (a) an application for the grant of a licence under section 27;
 - (b) an application for a variation of the conditions of a licence, notice of which is required to be published under section 32A(2);
 - (c) an application for the substitution of other premises for the premises specified in a licence under section 46A;
 - (d) an application for approval to make a material alteration to licensed premises, notice of which is required to be published under section 119(3).
- (2) The objection may only be made on the ground that the grant of the licence, variation of conditions, substitution of other premises or material alteration may or will adversely affect:
- (a) the amenity of the neighbourhood where the premises the subject of the application are or will be located; or
 - (b) health, education, public safety or social conditions in the community.
- (3) Only the following persons, organisations or groups may make an objection under subsection (1):
- (a) a person residing or working in the neighbourhood where the premises the subject of the application are or will be located;
 - (b) a person holding an estate in fee simple in land, or a lease over land, in the neighbourhood where the premises the subject of the application are or will be located;
 - (c) a member or employee of the Police Force acting in that capacity;
 - (d) a member or employee of the Fire and Rescue Service within the meaning of the Fire and Emergency Act acting in that capacity;
 - (e) an Agency or public authority that performs functions relating to public amenities, including health, education and public safety;

- (f) a community-based organisation or group (for example, a local action group or a charity).
- (4) An objection under subsection (1) is to:
- (a) be in writing; and
 - (b) be signed by or on behalf of the person, organisation or group making the objection; and
 - (c) set out the facts relied on by the person, organisation or group to constitute the ground on which the objection is made; and
 - (d) be lodged with the Director-General within 30 days after the publication of the notice or the last of the notices referred to in section 27, 32A, 46A or 119 (as applicable).
- (5) If an objection is lodged by post, the objection is taken to be duly lodged with the Director-General if it is delivered to an office of Australia Post for transmission to the office of the Director-General within the period referred to in subsection (4)(d).

Liquor Act

Application for the Grant of a Liquor Licence			
1. Application details			
Title	Mr <input type="checkbox"/> Mrs <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Miss <input type="checkbox"/>		
Full name of applicant	Ritika Singhal		
Address of applicant	36 Bullita Street, Durack Hieghts, NT, 0830		
Postal address of applicant	PO Box 753, Palmerston, NT, 0830		
Telephone	0450672627	Facsimile	
Email	Ritikasinghal12@gmail.com	Website	
Full name and address of Nominee (if applicable)			
Address/location of proposed licensed premises	T36, 37, 38 Coolalinga Central 425 Stuart Highway, Coolalinga, NT, 0839		
Trading name of proposed licenced premises	Pizza Hut Coolalinga		
Nature of business associated with licence applied for (e.g. supermarket, hotel, etc.)	Piaa Hut Restaurant		
Type of licence applied for:			
1. For consumption on premises	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
2. For consumption away from premises	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
3. For consumption on and away from premises	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Proposed conditions sought or volunteered by the Licensee			
Will any other person or entity have a financial interest in the business? If so, provide details:			
NO			

Application for the Grant of a Liquor Licence

Is applicant or any member of the applicant directly or indirectly interested in or concerned with any other licence? If so, provide details:

N/A

Have any of the applicants (*including directors of companies or committee members of club*) ever been arrested, charged or summonsed for an offence (*exclude spent convictions*)? If so, provide details:

NO


Have any of the applicants (*including directors of companies or committee members of club*) ever been a defendant in a civil lawsuit for breach of duty of care? If so, provide details:

NO


Have any of the applicants (*including directors of companies or committee members of club*) ever been the subject of any action pursuant to the provisions of bankruptcy legislation? If so, provide details:


NO

I/We the applicant(s) described above, hereby apply for the grant of the above licence.

Signature of applicant(s)		Date	25.05.18
Signature of applicant(s)		Date	
Signature of applicant(s)		Date	

Application for the Grant of a Liquor Licence					
2. For office use only					
File number				Date received	
3. Application by a Body Corporate to appoint manager/nominee					
Full name of applicant		Ritika Singhal			
Trading name of premises		Pizza Hut Coolalinga			
Address/location of premises		T36, 37, 38 Coolalinga Central 425 Stuart Highway, Coolalinga, NT, 0839			
4. Nominated persons details					
Full Name and any alias(es) of proposed manager/nominee		Ritika Singhal			
Date of birth	12/1/85	Place of birth	India		
Address	36 Bullita Street, Durack Hieghts, NT, 0830				
Occupation	Director				
Phone		Facsimile			
Mobile	0450672627	Email	Ritikasinghal12@gmail.com		
Length of time in the Northern Territory	7 years	Period of residence in Australia	7 years		
If naturalised, can papers be produced?				Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
What is your marital status? (including defacto)		Married			
Name of Spouse (including defacto)		Himanshu Bhatia			
Occupation of spouse/defacto		Accountant			
If licence granted, does proposed manager/nominee intend to follow another trade or profession?				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has proposed manager/nominee had experience in the conduct of licensed premises?				Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If yes, provide details	Ritika has worked in resturants in past and holds experience in alchohol serving and handeling.				
Will the proposed manager/nominee have a financial interest in the business?				Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Is the proposed manager/nominee directly or indirectly interested in or concerned with any other licence?				Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes provide details					

Application for the Grant of a Liquor Licence		
Has the proposed manager/nominee ever been arrested, charged or summonsed for an offence anywhere (<i>exclude spent convictions</i>)? If so, provide details:		
NO		
Has the proposed manager/nominee ever been convicted of any offence anywhere (<i>exclude spent convictions</i>)? If so, provide details:		
NO		
Has the proposed Manager/Nominee ever been a party in a civil lawsuit (<i>exclude spent convictions</i>)? If so, provide details:		
NO		
Has the proposed manager/nominee ever been dismissed / discharged or asked to resign from any employment? If so, provide details		
NO		
Has the proposed manager/nominee completed a Responsible Service of Alcohol Course? If yes, attach relevant certificate.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Please provide one personal profile / resume detailing a minimum of last 10 years work history and four (4) written references to be made up of two (2) business references and two (2) personal references. These are to be attached with this application.		
Signature of proposed manager/nominee		Date 25.5.18

Application for the Grant of a Liquor Licence			
5. Statement of display			
To be completed after the expiry of the 30 day display period of the public notice (<i>Green Sign</i>) erected at a prominent part of the proposed premises to be licensed.			
I, (<i>insert full name</i>)	Ritika Singhal		
of (<i>insert address</i>)	36 Bullita Street, Durack Hieghts, NT, 0830		
In the Northern Territory, being the applicant or acting for and behalf of the applicant, who has applied for the grant/variation of a licence for the premises known or to be known as (<i>insert name of premises</i>)		Pizza Hut Coolalinga	
And situated at (<i>insert address of premises</i>)	T36, 37, 38 Coolalinga Central 425 Stuart Highway, Coolalinga, NT, 0829		
State that:			
1.The above application was lodged with the Director-General of Licensing on the			
	day of		20
2. A public notice (<i>Green Sign</i>) was displayed on the premises or site to which the application relates on the			
	day of		20
3.The public notice was continuously and conspicuously displayed during the period of 30 days until			
	day of		20
Signature		Date	25.5.18
Full name (<i>in block letters</i>)	Ritika Singhal		

Affidavit		
I,	Ritika Singhal	, the applicant,
insert full name: of the applicant; or if the applicant is a body corporate, of the principal executive officer (or, if that officer does not have knowledge of the fact, some other person who has knowledge of the facts and who is authorised by the body corporate)		
disclose the following:		
(a)	there *is a / is not any person (other than, where the applicant or licensee is a body corporate, the secretary, an executive officer, a member or shareholder of the body corporate carrying out the duties or exercising the normal rights of the person in that capacity) who will by any lease, agreement or arrangement be able to influence any decision made by the applicant in relation to the sale of liquor or the sale and consumption of liquor.	
	(*circle where applicable)	
(b)	there *is a / is not any person other than the applicant who by any lease, agreement or arrangement (other than a contract, agreement or other arrangement entered into for the purposes of this Act or the Regulations and approved by the Director-General) may expect any benefit from the applicant in relation to the sale of liquor or the sale and consumption of liquor.	
	(*circle where applicable)	
(c)	details of persons able to influence as referred to in paragraph (a) or expect benefit as referred to in paragraph (b):	
	i. where any such person is a natural person:	
	Full Name	Address
	ii. where any such person is a body corporate other than a club:	
	Name of Body Corporate	
	Full Name of Secretary	Address
	Full Name of Each Executive Officer	Address

Affidavit			
iii. where any such person is a club or other voluntary association of persons:			
Name of Club or Voluntary Association of Persons			
N/A			
Full Name of Secretary		Address	Date of Birth
Full Name of Each Executive Officer		Address	Date of Birth
Details of the objectives (if any) of the club or voluntary association of persons and whether or not the club is a non-proprietary club or the voluntary association of persons conducts its business in the same way as a non-proprietary club			
iv. full and correct particulars of the lease, agreement or arrangement			
(d)	in the case of the applicant or licensee being a body corporate other than a club, the names of all persons who have a substantial holding (within the meaning of section 9 of the <i>Corporations Act 2001</i>) in the body corporate.		
This affidavit is made by			in the presence of an authorised witness
At (place)		On (date)	
Signature of person making the affidavit			
Signature of Authorised Witness *Witness must sign each page of the affidavit			
Witness Full Name	Witness qualification as an authorised witness	Witness Address or Telephone	

Affidavit

Oath, Affidavits and Declarations Act:

Section 14 (5):

The person making the affidavit must:

- (a) sign the affidavit immediately after the statement required by subsection (3); and
- (b) sign each other page of the affidavit; and
- (c) sign or initial any alteration made to the affidavit; and
- (d) in the presence of an authorised witness, say orally on oath, that:
 - (i) he or she is the person named as the maker of the affidavit; and
 - (ii) the contents of the affidavit are true; and
 - (iii) the signature is his or hers; and
 - (iv) if necessary, any attachment to the affidavit is the attachment referred to in it.

Subsection (5)(a), (b) and (c) need not be complied with in the presence of an authorised witness.

Section 15:

(1) An affidavit made at a place in the Territory must be witnessed by one of the following:

- (a) a justice of the peace;
- (b) a commissioner for oaths;
- (c) any other person authorised by an Act to witness the affidavit.

(2) An affidavit made at a place outside the Territory must be witnessed by one of the following:

- (a) a person who has authority under the law of the place:
 - (i) to administer an oath, take an affirmation or carry out a comparable process; or
 - (ii) to witness the making of an affidavit or comparable document;
- (b) a consular official who is performing official functions at the place;
- (c) if the person making the affidavit is a member of the Australian Defence Force – a defence force officer;
- (d) any other person authorised by an Act to witness the affidavit.

6. Notice In Accordance with the *Information Act* (Information Privacy Principle 1)

Licensing NT is seeking information from you for the purposes of your application. Information Privacy Principle 1 (IPP 1) requires that a public sector organisation must not collect personal information unless the information is necessary for one or more of its functions or activities. If personal information about an individual is collected from the individual, the organisation must take reasonable steps to ensure that the individual is aware of certain matters. For the purposes of IPP 1, the following advice is provided.

- a) You are able to access your personal information that you have provided by making a written request to the Director-General of Licensing.
- b) The information is required pursuant to the *Liquor Act*. The Act requires that certain matters must be considered when deciding whether or not to approve an application.
- c) The information will be kept confidential except as follows:
 - i. Information may be sought from police, government agencies, interstate licensing authorities, or referees or other persons nominated by you. Information may be released to those sources to the extent necessary to verify information about you and your application.
 - ii. Registers of licences and permits will be maintained and may be made available to the public on request.
- d) You do not have to provide information if you do not wish to do so. However, an application may not be approved if there is insufficient information to properly determine the matter in accordance with the Act.

7. Application notes

1.	Applicants should note that the grant of a licence will not be considered by the Director-General of Licensing unless all of the requirements set out in this application form and as may be additionally advised by the Director-General has been satisfied. The list below is intended as a basic guide only. The Director-General may require additional information at any stage of the process.	
2.	Applicants are entitled to apply for an “in principle” liquor licence in limited circumstances where for example the premises that is to be licensed is under construction. In such circumstances the licensing inspector responsible for your application will determine what of the listed requirements must be submitted before your application will be considered.	
3.	These application notes and the checklists within are to be submitted with the application.	
4.	The following are documents that must be lodged with the application:	
a)	Completed application form	Yes <input checked="" type="checkbox"/>
b)	Payment of the liquor licence application statutory fee*	Yes <input checked="" type="checkbox"/>
c)	Affidavit referred to in Section 26A of the <i>Liquor Act</i> .	Yes <input checked="" type="checkbox"/>
d)	Site and floor plans (<i>drawn in accordance with the attached approved guidelines.</i>)	Yes <input checked="" type="checkbox"/>
e)	Proof of title, lease or right to occupy the premises. (<i>Note: if an applicant seeks to provide a copy of a contract for the sale of land or a lease of the relevant premises such documentation must be legally executed.</i>)	Yes <input checked="" type="checkbox"/>
f)	Photocopies of relevant identification of applicants and nominated managers, which may be current driver’s licence, passport or birth certificate extract.	Yes <input checked="" type="checkbox"/>

g)	<p>Proof that the applicant(s) have undertaken a fingerprint check and have submitted an authority to release criminal history to the Northern Territory Police, with return address of the fingerprint check noted as:</p> <p>Manager Territory Business Centre GPO Box 9800 Darwin NT 0801</p> <p>Or</p> <p>Manager Territory Business Centre PO Box 9800 Alice Springs NT 0871</p> <p>Note: Where the applicant is a company the director(s) and proposed nominated manager(s) must undertake fingerprint checks, unless waived; or</p> <p>Where the applicant is an incorporated association, a fingerprint check is to be completed by the president, treasurer, secretary and proposed nominated manager.</p> <p>i) The original form is submitted. Photocopy or faxed copies will not be accepted. A photocopy of either a driver's licence or birth certificate must be submitted with every criminal history form.</p> <p>ii) All details are printed clearly</p> <p>iii) All sections of the form a completed</p> <p>iv) All relevant signatures appear on the form</p> <p>No wording of this form is to be altered or deleted in any way</p>	Yes <input checked="" type="checkbox"/>
h)	Evidence of the financial stability of the applicant(s). A recent statement of assets and liabilities is the minimum requirement, preferably with an appropriate letter from the applicant's bank and/or accountant addressing the question of the applicant's financial stability.	Yes <input checked="" type="checkbox"/>
i)	Evidence of managerial capacity to conduct the proposed business e.g. a curriculum vitae or resume of each of the applicants	Yes <input checked="" type="checkbox"/>
j)	Where the applicant is a person or person(s), at least two references attesting to the general reputation and character of the applicant(s). Where the applicant is a body corporate, at least two references attesting to the business reputation of the applicant.	Yes <input checked="" type="checkbox"/>
k)	<p>Description of business to be conducted, detailing the proposed business to be conducted and containing details of proposed method of operation including hours of trade, services to be provided, type of liquor to be stored, overall theme/concept to be utilised for the business/premises, style of service, plans for dealing with risks/problems e.g. for "nightclub type premises" – how illicit drug prevention measures will be undertaken and the like. This should also include full details of camera surveillance if the premises is to be late night trading.</p> <p>The information sought above is generally contained in the business plan of the premises, which should also accompany this application. Assistance in preparing business plans can be obtained by contacting the Business Services Division of the Department of Business.</p>	Yes <input checked="" type="checkbox"/>

l)	Public interest – applicants must demonstrate in the application that the grant of the licence will be in the public interest by providing information about any relevant criteria referred to in section 6(2) of the <i>Liquor Act</i> and any other matter relevant to the public interest in the sale, provision, promotion and consumption of liquor. The applicant should refer to section 6 and 26(3) of the <i>Liquor Act</i> to identify those matters the Director-General of Licensing must consider when determining an application.	Yes <input checked="" type="checkbox"/>
m)	Certificate from the Development Consent Authority confirming that town planning approval has been given for the proposed liquor licensed premises at the relevant address of the proposed premises; or Certificate of Occupancy	Yes <input checked="" type="checkbox"/>
n)	Business name certificate of registration and business names extract	Yes <input checked="" type="checkbox"/>
o)	Certificate of registration as a food business, if applicable	Yes <input checked="" type="checkbox"/>
p)	Boarding house certificate, if applicable	Yes <input type="checkbox"/>
7.	Additional documents to be lodged where the applicant is a company:	
a)	Original recent company search document issued by the Australian Securities and Investment Commission (ASIC) showing particulars of the applicant company's directors, shareholders, registered company address and securities registered against company assets.	Yes <input checked="" type="checkbox"/>
b)	Nominee application form signed by the proposed nominee of the company (<i>form attached</i>) and two written business references and two personal references	Yes <input checked="" type="checkbox"/>
c)	Separate references attesting to the general reputation and character of each of the directors, the secretary and the executive officers.	Yes <input checked="" type="checkbox"/>
8.	Additional documents to be lodged where the applicant is an incorporated association (<i>club</i>):	
a)	Copy of the certificate of incorporation	Yes <input checked="" type="checkbox"/>
b)	Copy of the registered constitution of the incorporated association, which shall contain relevant clauses and terms as required by the attached guideline	Yes <input checked="" type="checkbox"/>
c)	Nominee application form signed by the proposed nominee of the incorporated association (<i>form attached</i>) and two written business references and two written personal references. References may be checked and verified.	Yes <input checked="" type="checkbox"/>
9.	Additional documents and requirements where the applicant(s) are in partnership:	
a)	Copy of the partnership agreement (<i>if in existence</i>)	Yes <input type="checkbox"/>
b)	A declaration in the form of a letter to the Director-General of Licensing and signed by all partners, nominating a partner who will be the sole contact for Licensing NT to deal with for all matters relevant to the liquor licence and the licensed premises.	Yes <input type="checkbox"/>

10.	Documents required prior to consideration of application:	
a)	Copies of advertisements of the proposed liquor licence application placed in relevant newspapers or other form of media (where required by the Director-General of Licensing). Licensing inspectors will assist the applicant in drafting the relevant advertisement and advise where the advertisements should be placed i.e. NT News, Centralian Advocate, Katherine Times, Kununurra Times etc. Applicants should make every effort to attend to this requirement as soon as possible after the application has been lodged, as an application will not be considered until such time as the advertising period has closed and the community has had the opportunity to object to the application. Other documentation and requirements can be submitted while the advertising period is running.	Yes <input type="checkbox"/>
b)	Signed declaration (<i>form enclosed</i>) that the public notice "Green Sign" has been erected at a prominent external area of the proposed premises and has been displayed for a 30 day period coinciding with the advertisements. "Green Signs" will be provided by a licensing inspector. Random checks are undertaken to ensure that "Green Signs" are erected in a prominent external area of the proposed premises.	Yes <input type="checkbox"/>
11.	Further requirements:	
a)	Licensee or nominee to sit examination on knowledge of the <i>Liquor Act</i> and licence conditions. (<i>Contact Licensing NT for further details and to book an appointment for the test</i>)	Yes <input checked="" type="checkbox"/>
b)	A Licensee (or if a body corporate, its nominee) will be required to have completed a responsible service of alcohol course before commencing trading operations under any liquor licence. (<i>list of providers attached</i>)	Yes <input checked="" type="checkbox"/>
c)	Inspection of proposed licensed premises by licensing inspectors	Yes <input checked="" type="checkbox"/>
d)	Certain venues are required to have camera surveillance therefore applicants need to inform themselves of this requirement. Refer to the Camera Surveillance Guidelines fact sheet or inquire at a Territory Business Centre or Licensing NT office.	Yes <input checked="" type="checkbox"/>
12.	Guidelines – Site and Floor Plans	
a)	A floor plan of the proposed or existing premises: <ul style="list-style-type: none"> i) drawn to a scale or scales considered by the Director-General Licensing to be adequate for the relevant detail; ii) showing each level/area of the premises to which the application relates, showing fixtures and the use of all rooms; and iii) shall delineate the proposed licensed premises in red. 	Yes <input checked="" type="checkbox"/>
b)	A Site Plan showing: <ul style="list-style-type: none"> i) showing an outline (<i>delineated in red</i>) of every building to which the application relates; ii) the boundary of the land on which those premises are or are to be situated; iii) the front entrance of every building on those premises; iv) the names of adjacent streets; v) features such as swimming pools and other outdoor areas on those premises. 	Yes <input checked="" type="checkbox"/>
c)	The floor plan and the site plan shall be professionally drawn plans by an appropriately qualified architect, surveyor, town planner, engineer or draftsman.	Yes <input checked="" type="checkbox"/>

d)	The Director-General of Licensing may in certain limited circumstances waive full compliance with this guideline. If an applicant wishes to apply for a waiver from the Director-General they should do so in the form of a letter setting out their reasons as to why they cannot fully comply with this guideline.	Yes <input checked="" type="checkbox"/>
<p>It should be understood that these plans will be made available for inspection by members of the public at all stages of the application and approval process. In the event that the Director-General of Licensing grants a liquor licence, the plans will be held by the Director-General and will remain available for public inspection, upon request.</p>		
13.	Director-General of Licensing requirements for "club" constitutions	
<p>Applicants seeking to apply for a class of liquor licence known as a club licence are required to submit to the Director-General of Licensing a copy of their constitution which shall contain clauses or provisions as follows:</p>		
a)	The rules of a club must provide that a visitor to a club must not be supplied with liquor in the club premises unless the visitor is a guest in the company of a member	Yes <input type="checkbox"/>
b)	The rules of a club, except in the case of a club primarily for a sporting purpose; must provide that a person under the age of 18 years shall not be admitted to the membership of the club	Yes <input type="checkbox"/>
c)	The rules of the club must provide for a management committee of the club be elected for a term of not less than 12 months by members or a class of members constitutionally entitled.	Yes <input type="checkbox"/>
d)	The rules of the club must provide for the keeping of records of guests	Yes <input type="checkbox"/>
e)	The rules of the club must provide for the appointment of a secretary	Yes <input type="checkbox"/>
f)	Acceptable procedures for the admission of new members that are consistent with the club's core objectives and operations	Yes <input type="checkbox"/>
14.	Who may sign the application form?:	
<p>Where the Applicant is:</p> <ul style="list-style-type: none"> a) a natural person – the natural person b) a partnership – as per the partnership agreement, otherwise, all of the partners c) a company – at least one of the directors and the secretary (<i>common seal not required</i>) d) an incorporated association – the secretary and one other member of the committee <p>When the signatory is the sole proprietor of a company, this should be noted alongside the proprietor's signature.</p>		
15.	Do you intend to apply for a gaming machine licence?	
<p>Under section 24(1)(d) of the <i>Gaming Machine Act</i>, an applicant can apply for a gaming machine licence at the same time as their application for a liquor licence if the liquor licence they have applied for is:</p> <ul style="list-style-type: none"> a) a hotel liquor licence; or b) a club liquor licence <p>You may make an application for a gaming machine licence concurrent with this application and have both applications considered by the Director-General of Licensing at one time.</p> <p>If you wish to exercise this option please ask for a supplementary gaming machine license application form. It should be noted that you will not be required to satisfy requirements already met in the liquor application.</p>		

16.	Do you intend selling tobacco products?
<p>If you intend selling tobacco products you are required to obtain a retail tobacco licence. You should make yourself aware of your obligations to comply with the <i>Tobacco Control Act</i> and regulations. Information can be obtained from the smoke free website, http://www.smokefree.nt.gov.au. An application form can be obtained from a Territory Business Centre or from the Licensing NT website.</p>	
17.	Responsible service of alcohol course providers as at December 2014
<p>Responsible Service of Alcohol courses may be done online and can be found through the Australian Government Training website.</p> <p>https://www.myskills.gov.au/courses/unit?Code=SITHFAB002</p>	
8. Lodgement details	
Once the application is complete it must be lodged at a Territory Business Centre with the prescribed fee at:	
Darwin Building 3, Darwin Corporate Park 631 Stuart Highway Berrimah GPO Box 9800 Darwin NT 0801 t: (08) 8982 1700 f: (08) 8982 1725 Toll free: 1800 193 111 e: territory.businesscentre@nt.gov.au	Katherine Shop 1, Randazzo Building 18 Katherine Terrace Katherine PO Box 9800 Katherine NT 0851 t: (08) 8973 8180 f: (08) 8973 8188 e: territory.businesscentre@nt.gov.au
Tennant Creek Shop 2, Barkley House Cnr Davidson and Paterson Street Tennant Creek PO Box 9800 Tennant Creek NT 0861 t: (08) 8962 4411 f: (08) 8982 1725 e: territory.businesscentre@nt.gov.au	Alice Springs Ground Floor, The Green Well Building 50 Bath Street Alice Springs PO Box 9800 Alice Springs NT 0871 t: (08) 8951 8524 f: (08) 8951 8533 e: territory.businesscentre@nt.gov.au
9. Fees and payment	
Contact your local Territory Business Centre for the relevant schedule of fees.	



Vibgyor Technologies Pty Ltd
ABN: 28 603 93 353
PO Box 753
Palmerston, NT, 0830

TO WHOM IT MAY CONCERN

This is to confirm that I "Ritika Singhal" Director of "VIBGYOR Technologies Pty Ltd" am starting Pizza Hut Coolalinga in Coolalinga Central. The business is due to start on 8th June 2018.

Pizza Hut is a global Pizza franchise business. As a business model, we mainly deal with cooking fresh pizza and salads in store and sell them to customers. There is no age factor to consume Pizza Hut products; hence Pizza Hut is very popular among children. Our range of products include:

- Various kinds of Pizza;
- Salads;
- Garlic Breads;
- Popcorns;
- Soft Drinks;
- Ice Cream Bar;
- Various other types of entrees.

We are aiming to start a restaurant concept Pizza Hut store in Coolalinga, so consumers can sit and enjoy freshly made food in store. As a traditional business model, pick up and deliveries are also part of business concept. Our trading times will be from 11 am to 9 pm for dine-in; 11 am to 11 pm for takeaways and deliveries.

As business promotes Pizza and food, we will be selling only limited types of liquor. Please see below for list of liquor:

- 2X Full Strength Beer;
- 1X Mid Strength Beer;
- 1X Light Beer;
- Red Wine;
- White Wine;
- Sparkling;
- Pre Mix will include limited variety of JD and Coke, Whisky and Coke, Rum and Coke.

As a security measure, we have made sure that limited staff will be serving liquor to customers and all such staff are RSA certified. Coolalinga Central also has 24x7 security guards onsite and if any issue arises we have support from security officers onsite.

I have also attached a copy of our proposed menu with this letter.

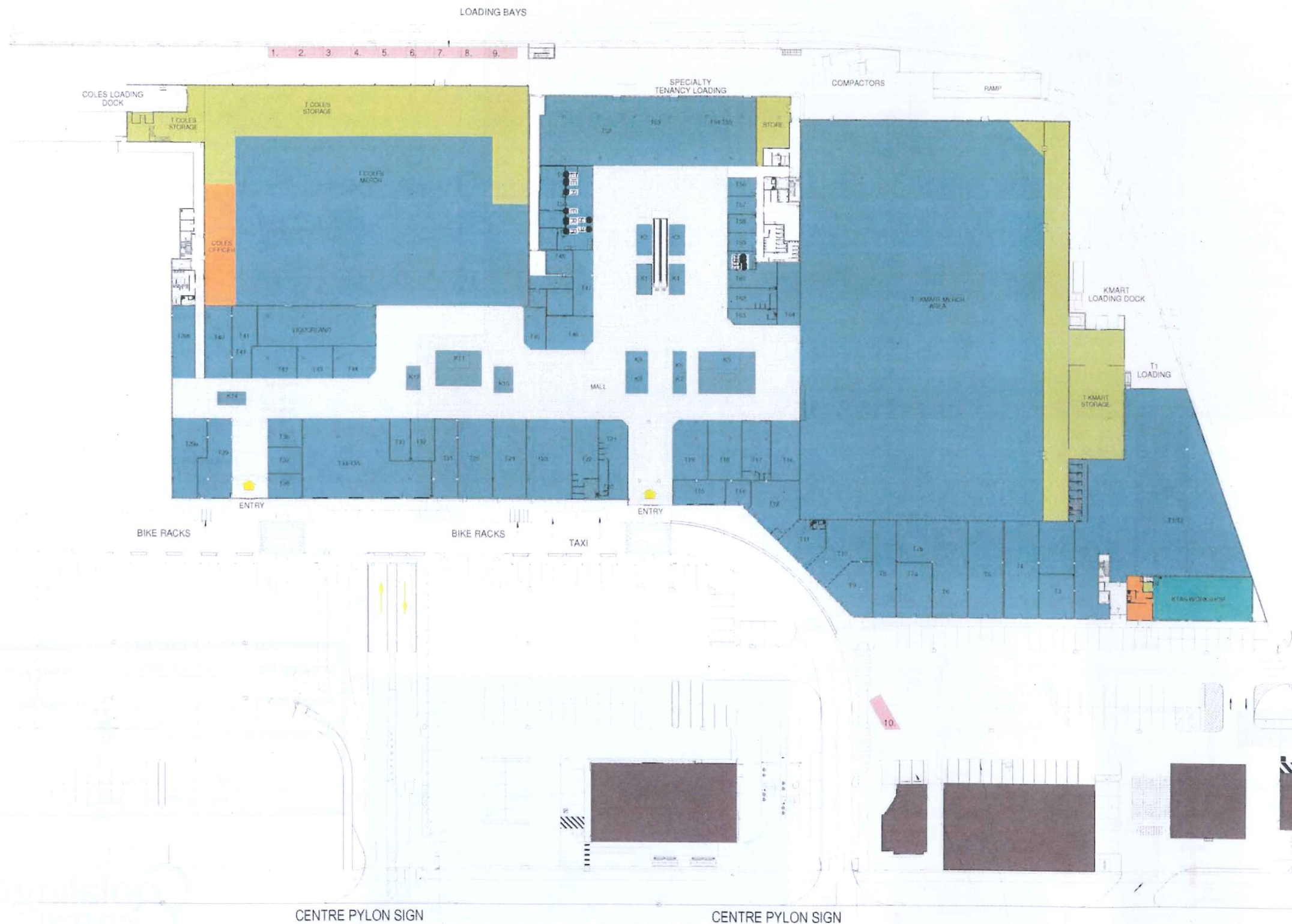


Vibgyor Technologies Pty Ltd
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PO Box 753
Palmerston, NT, 0830

Should you have any further queries, please feel free to contact me at 0450672627 or alternatively at ritikasinghal12@gmail.com

Kind Regards,

Ritika Singhal
(Director)



DA DEVELOPMENT AREAS SCHEDULE

Room Name	Room Number	Room Name	Room Number
ATM1	T19	T46	
Changing Room	T20	T47	
CLEANERS ROOM	T21	T48	
KMART	T22	T49	
COLES	T23	T50	
COLES OFFICES	T24	T51	
K1	T25	T52	
K2	T31	T53	
K3	T32	T54/T55	
K4	T33	T56	
K5	T34/T35	T57	
K5 SEATING	T36	T58	
K6	T37	T59	
K7	T38	T60	
K8	T39	T61	
K9	T39a	T62	
K10	T39b	T63	
K11	T40	T64	
K11 SEATING	T41	T65	
K12	T42	T - KMART MERCH AREA	
K14	T43	T - KMART STORAGE	
K MART	T44	T COLES MERCH	
KTAS WORKSHOP	T45	T COLES STORAGE	
		T KMART STORAGE	
		WC	

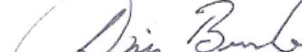
AREA SUMMARY

SHOPS	15,379sqm @ 6:100
WAREHOUSE / STORAGE	2,208sqm @ 1/100
OFFICE	325sqm @ 2.5/100
WORKSHOP	226sqm @ 6:100
MEDICAL CLINIC	140sqm & 4x consulting rooms @ 4/ Consulting Room

CAR PARKING SCHEDULE

Loading Bays	10
2700x5400 Car Parks	309
Disabled Access Car Parks 2	
Taxi Parks	2

GROUND FLOOR PLAN STAGE 1
1:500

Drawing No: 2009/1540/04D referred to in
Permit No: DP09/1035D issued by
the consent authority on: 20/04/2017

Consent Authority / Delegate

NOTE THESE CAR PARKS
HAVE BEEN EXCLUDED FROM
CAR PARKING COUNT FOR
STAGE 1 SHOPPING CENTRE
AS THEY ARE PART OF
OTHER DEVELOPMENT
PERMITS



PRELIMINARY

Coolalinga
Central

SIDECART

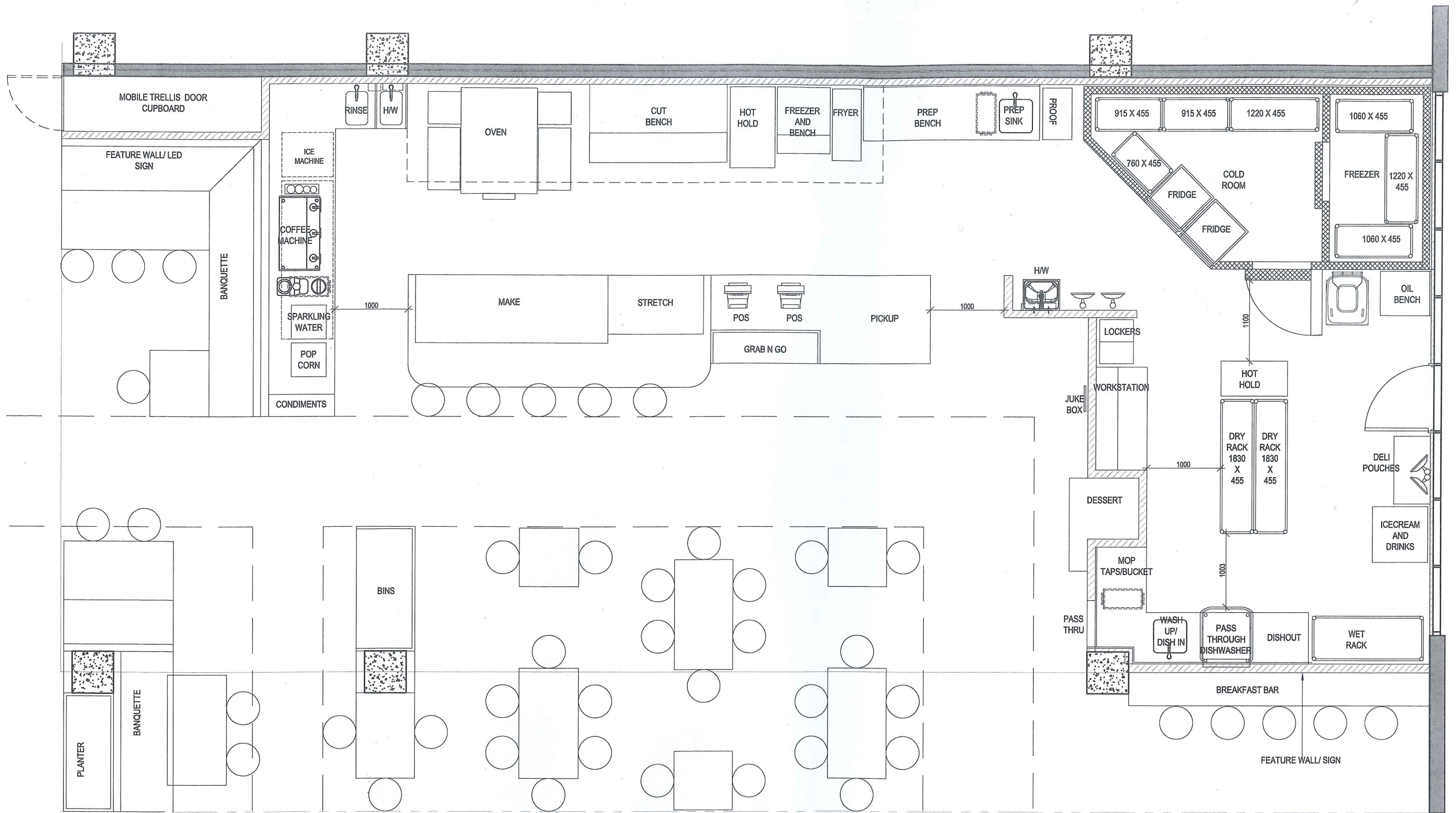
Project Description: **PROPOSED COOLALINGA RETAIL PRECINCT
STUART HIGHWAY COOLALINGA**

Drawing title
GROUND FLOOR

Scale
1 : 500

Ordering Number

Page 145 of 216



01 GENERAL ARRANGEMENT PLAN
1.1 SCALE 1:50

LIQUOR ACT

1st NOTICE OF APPLICATION FOR THE GRANT OF A LIQUOR LICENCE

Ms Ritika Singhal on behalf of Vibgyor Technologies Pty Ltd, hereby gives notice they have applied to the Director-General of Licensing for the grant of a Liquor Licence at premises known as Pizza Hut Coolalinga, T36, T37, T38, Coolalinga Central, 425 Stuart Highway, Northern Territory.

PROPOSED LICENCE AND CONDITIONS

- The application is intended to be following the global restaurant chain, Pizza Hut Franchise, providing an all you can eat buffet and various pizza's, salads and dessert bars.
- The sale of liquor is for consumption on the premises only and will include white and red wines light, mid and heavy strength beers and spirits.
- No liquor trading on Christmas Day.
- Proposed Liquor trading hours from 11.00am to 10.00pm, 7 days a week.
- Liquor consumption ancillary to a meal.

This is the first notice of application. The notice will be published again on Saturday, 7 July 2018.

The objection period is deemed to commence from Saturday, 7 July 2018 being the date of publication of second notice, and ceases at the close of business Monday, 6 August 2018.

Pursuant to Section 47F(2) of the *Liquor Act* an objection may only be made on the ground that the grant of the licence may or will adversely affect:

- (a) the amenity of the neighbourhood where the premises the subject of the application are or will be located; or
- (b) the health, education, public safety or social conditions in the community.

Only those persons, organisations or groups described in Section 47F(3) of the *Liquor Act* may make an objection. Section 47G of the *Liquor Act* requires the Director-General of Licensing to inform the applicant of the substance of any objection. This will include the identity and where relevant the address of the objector.

For further information regarding this application contact the Director-General of Licensing NT on telephone 8999 1800. Objections to this application must be lodged in writing and lodged within 30 days of the commencement date of the objection period to the Director-General of Licensing, via e-mail (preferred) to Director-GeneralofLicensing.AGD@nt.gov.au or posted to GPO Box 1154, Darwin, NT 0801.

Dated this 4 July 2018.

LIQUOR ACT

2nd N NOTICE OF APPLICATION FOR THE GRANT OF A LIQUOR LICENCE

Ms Ritika Singhal on behalf of Vibgyor Technologies Pty Ltd, hereby gives notice they have applied to the Director-General of Licensing for the grant of a Liquor Licence at premises known as Pizza Hut Coolalinga, T36, T37, T38, Coolalinga Central, 425 Stuart Highway, Northern Territory.

PROPOSED LICENCE AND CONDITIONS

- The application is intended to be following the global restaurant chain, Pizza Hut Franchise, providing an all you can eat buffet and various pizza's, salads and dessert bars.
- The sale of liquor is for consumption on the premises only and will include white and red wines, light, mid and heavy strength beers and spirits.
- No liquor trading on Christmas Day.
- Proposed Liquor trading hours from 11.00am to 10.00pm, 7 days a week.
- Liquor consumption ancillary to a meal.

This is the second notice of application. The notice will not be published again.

The objection period is deemed to commence from today, Saturday, 7 July 2018 being the date of publication of second notice, and ceases at the close of business Monday, 6 August 2018.

Pursuant to Section 47F(2) of the *Liquor Act* an objection may only be made on the ground that the grant of the licence may or will adversely affect:

- (a) the amenity of the neighbourhood where the premises the subject of the application are or will be located; or
- (b) the health, education, public safety or social conditions in the community.

Only those persons, organisations or groups described in Section 47F(3) of the *Liquor Act* may make an objection. Section 47G of the *Liquor Act* requires the Director-General of Licensing to inform the applicant of the substance of any objection. This will include the identity and where relevant the address of the objector.

For further information regarding this application contact the Director-General of Licensing NT on telephone 8999 1800. Objections to this application must be lodged in writing and lodged within 30 days of the commencement date of the objection period to the Director-General of Licensing, via e-mail (preferred) to Director-GeneralofLicensing.AGD@nt.gov.au or posted to GPO Box 1154, Darwin, NT 0801.

Dated this 7 July 2018.



COUNCIL REPORT

Agenda Item Number:	15.3
Report Title:	August 2018 Summary Planning and Mining Report
Report Number:	18/0127
Meeting Date:	15/08/2018
Attachments:	Attachment A: Letters of support for Development Applications, subject to normal Council conditions. Attachment B: Letters of support for Development Applications, subject to specific issues being adequately addressed. Attachment C: Letters of non-support or objection to Development Applications for reasons related to areas of Council authority. Attachment D: Letters of objection to Development Applications for reasons related to other issues. Attachment E: Letters of Comment for Mining Applications

Purpose

The purpose of this report is to provide to Council a summary of development and mining applications received, and comments provided for the period of 8 July 2018 to 3 August 2018.

Summary

For the noted period, Council provided comments on 5 development applications. Of the applications, 1 was supported subject to normal Council conditions, and 4 were objected to for reasons related to other issues.

For the noted period, Council provided no comments on mining applications.

All letters of comment are provided for information in Attachments A, B, C, D, and E.

Recommendation

THAT Council:

1. receive the August 2018 Summary Planning and Mining Report,
2. notes for information the responses provided to Development Assessment Services within Attachments A, B, C, and D to this report; and
3. notes for information the responses provided to the Department of Primary Industries and Resources within Attachment E to this report.

Background and Discussion

DEVELOPMENT APPLICATIONS

The following is a summary of all Development Applications received and comments provided for the period of 8 July 2018 to 3 August 2018.

Council Outcome on Development Applications	No. Applications
Development applications supported, subject to normal Council conditions	1
Development applications supported, subject to specific issues being adequately addressed	0
Development applications not supported/objected to for reasons related to Council issues	0
Development applications objected to for reasons not directly related to Council issues	4

For all development applications, should the applications be approved by the consent authority, the applications may be subject to Council's normal Development Permit conditions in regard to areas of Council authority, including, but not necessarily limited to, access and stormwater drainage.

Development Applications supported, subject to normal Council conditions

The table below describes the Development Applications that are supported by Council.

Responses to these Development Applications are provided as Attachment A to this report.

Application Number and Address	Purpose and Summary
PA2018/0293 Section 2114 (375) Cox Peninsula Road, Berry Springs, Hundred of Strangways.	Independent unit with an independent effluent disposal system. This application proposes an independent unit approximately of 48m ² , which is in line with the requirements of the NT Planning Scheme. The independent unit will be located in the north-west corner of the block and setback 80m from the northern boundary and 40m from the western boundary. The application specifies that no additional driveway will be constructed or required as a result of this proposal.

Development Applications supported, subject to specific issues being adequately addressed

There were no development applications in this time period supported, subject to specific issues being adequately addressed.

Development Applications not supported/objected to for reasons related to Council issues

There were no development applications in this time period not supported or objected to solely for reasons related to Council issues.

Development Applications objected to for reasons not directly related to Council issues

The table below describes the Development Applications that are objected to by Council for reasons not directly related to areas of Council authority. Typically, these are reasons related to preservation of amenity of the surrounding neighbourhood and compliance with the NT Planning Scheme.

Responses to these Development Applications are provided as Attachment D to this report.

Application Number and Address	Purpose and Summary	Reasons for objection
PA2018/0234 Section 2407 (350) Sunter Road, Herbert, Hundred of Strangways.	<p>Independent unit exceeding 80m² in floor area, with an independent effluent disposal system</p> <p>The site is in Zone RL (Rural Living), totalling 2.04ha in area and is already developed with a three-bedroom single dwelling, carport shed and 48m² two-bedroom independent unit. The existing independent unit is setback 20m from the northern boundary and 32m from the eastern boundary and street front. This existing structure has two bedrooms, bathroom and an unenclosed roofed area of over 130m². It is proposed to add an additional 48m² enclosed area comprising of a full kitchen, living area, and laundry room on the other side of the unenclosed area. Thus the two bedroom 48m² unit will be linked to the 48m² kitchen/dining area by the 128m² roofed unenclosed area.</p>	<p>The existing structure is presently being used as an independent unit. However, the proposal to double the size of the structure to 96m², which is 18m² over the size permitted without special circumstances cannot be supported, as no special circumstances were provided explaining why a variation is sought. Council also has concern that the structure in its current format could be illegally enclosed at a later date forming an over 226m² second dwelling on the site.</p>

<p>PA2018/0270</p> <p>Section 6757 (3) Grosvenor Circuit, Holtze, Hundred of Bagot.</p>	<p>Warehouse and ancillary office with reduced side and rear setbacks.</p> <p>The subject site on the corner of Grosvenor Circuit and Glendowner Road is currently vacant. The proposal seeks to develop the rear of the site towards the eastern boundary, leaving the front half of the lot, where the existing driveway is located, vacant. The structure is proposed to be built to the property boundary line on both sides and additionally seeks a waiver to a reduced rear setback of 3m. The NT Planning Scheme requires a "minimum setback to at least one side boundary and to the rear boundary" of 5m. A secondary driveway access has been proposed to access Council's road reserve on Glendowner Road.</p>	<p>This application was objected to under Section 49 as no special circumstances were provided explaining why a variation to the setback requirements is requested. Since the proposal is for a new building on a vacant site, it is not clear why the proposal could not be designed to meet the requirements of the NT Planning Scheme.</p> <p>Additionally, Council has requested more information on waste storage and the ability for larger vehicles to enter and exit the loading bay and waste storage areas in a forward gear.</p>
<p>PA2018/0296</p> <p>Section 5922 (17) Staines Court, Girraween, Hundred of Bagot.</p>	<p>Independent unit exceeding 50m².</p> <p>The subject site is in Zone RR (Rural Residential) and the independent unit proposed totals 96.5m². The structure is existing on the site as a shed with the intention of being converted to an independent unit. The structure is at the rear of the lot in the southern corner and meets the setback requirements being 14.5m and 19m away from each boundary.</p>	<p>This application was objected to under Section 49 as no special circumstances were provided explaining why a waiver is required for double the maximum allowable floor area for an independent unit. The intent of the clause is to support a small independent unit, not multiple dwellings. Council has concern that the subject site will be over developed and believes that the proposal could affect the rural amenity for neighbouring lots.</p>

PA2018/0305	Subdivision to create 2 lots.	The appropriate pathway for achieving 1 hectare lots on the subject site would be to apply to rezone the site from Zone RL (Rural Living) to Zone RR (Rural Residential). Should the rezoning be successful, then the lot would be permitted to have lots of 1 hectare in size and Council could support the subdivision to two 1-hectare parcels. The rezoning prior to subdivision is necessary as the process of rezoning prior to subdivision established by the Area Plan allows individual landowners to make the choice to rezone their property and to accept all of the benefits and restrictions that come with the changing of the zone, as well as allowing the community to comment on that change.
Lot 15 (345) Whitewood Road, Subdivision to create 2 lots.	The application does not comply with the minimum lot size required by the NT Planning Scheme. The application proposes to subdivide a 2-hectare site in Zone RL (Rural Living) into two 1-hectare parcels. The subject site is outside of the Howard Springs Rural Activity Centre and is located in Zone RL (Rural Living), where the minimum lot size permitted is 2 hectares.	

MINING APPLICATIONS

There were no mining applications in this time period.

Links with Strategic Plan

Priority # 2 – A great place to live

Legislative and Policy Implications

Not applicable to this report

Risks

Not applicable to this report

Financial Implications

Not applicable to this report

Community Engagement

Not applicable to this report

Recommending Officer: Nadine Nilon, Director Infrastructure and Operations

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.

Attachment A

Responses to Development Applications supported, subject to normal Council conditions

2 August 2018

Development Assessment Services
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

PA2018/0293

**Section 2114 (375) Cox Peninsula Road, Berry Springs, Hundred of Strangways
Independent unit with an independent effluent disposal system**

Thank you for the Development Application referred to this office on 20/07/2018, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council supports the granting of a Development Permit for the following reasons:

- a) The proposal seems reasonable and expected for the zoning and locality.
- b) The proposal seems to be compliant with the requirements of the NT Planning Scheme.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) The owner shall collect stormwater and discharge it to the drainage network to the technical requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council, and at no cost to Litchfield Council.
- b) Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
- c) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Inspection fees and charges may apply in accordance with Litchfield Council's current Fees and Charges. Additional information can be found at www.litchfield.gov.nt.au.

- b) A *Works within a Road Reserve Permit – Works Associated with a Development Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Clause 6.7 of the NT Planning Scheme.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully



Nadine Nilon
Director Infrastructure and Operations

Attachment B

There were no Development Applications supported subject to specific issues being adequately addressed during this time period.

Attachment C

There were no Development Applications not supported/objected to for reasons related to Council issues during this time period.

Attachment D

Responses to Development Applications objected to for reasons not related to Council issues

13 July 2018

Development Assessment Services
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

PA2018/0234

**Section 2407 (350) Sunter Road, Herbert, Hundred of Strangways
Independent unit exceeding 80m² in floor area, with an independent effluent disposal
system**

Thank you for the Development Application referred to this office on 29/06/2018, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council wishes to lodge the following submission under Section 49 of the NT *Planning Act*, in which Council objects to the granting of a Development Permit for the following reasons:

- a) The applicant has not provided any special circumstances that are extraordinary or unusual regarding this proposal or site that would support the variation to exceed the 80m² floor area. Council supports the requirements of the NT Planning Scheme and cannot support an application that does not provide special circumstances for the variations requested, Council notes that a site visit appears to show the currently existing structure being used as an independent at this time in its current format. For the expansion, Council has concerns that the separation of the new living and kitchen area from the bedrooms by the shed roof could lead to the expectation that the area under the shed could be illegally enclosed at a later date to form a fully second dwelling on the subject site.

Should the application be approved, the Council requests the following condition(s) be included as Condition(s) Precedent in any Development Permit issued by the consent authority:

- a) The crossover and driveway shall meet Litchfield Council's requirements, and the following changes to the proposed plans are required:
 - i. Council requires the driveway crossovers to be upgraded to meet Council standards, as the proposed traffic utilising the site is expected to double with the addition of the independent unit and the current crossover is substandard.

- b) Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into Litchfield Council's stormwater drainage system shall be submitted to and approved by Litchfield Council. The plan shall include details of site levels and Council's stormwater drainage connection point(s).
 - i. The plan shall demonstrate that stormwater run-off is capable of being discharged across the lot surface to the main drainage system or to an approved alternate connection.
 - ii. Litchfield Council stormwater discharge guidelines do not allow concentrated discharge of stormwater from rural lots to adjoining properties or the road reserve. All stormwater is to be channelled, piped or dispersed via sheet flow to the road reserve.
 - iii. The plan shall demonstrate that the drainage system is designed to cater for both initial storm events (Q5) and major storm events (Q100).
 - iv. The applicant's plans shall demonstrate that no contaminated water shall enter any waterway or Litchfield Council's drainage system.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) The kerb crossovers and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall remove disused crossovers; provide footpaths/cycleways, as required by Litchfield Council; collect stormwater and discharge it to the drainage network; and undertake reinstatement works; all to the technical requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council, and at no cost to Litchfield Council.
- b) No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and public street, to the satisfaction of the Director Infrastructure and Operations, Litchfield Council.
- c) Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
- d) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Inspection fees and charges may apply in accordance with Litchfield Council's current Fees and Charges. Additional information can be found at www.litchfield.gov.nt.au.
- b) A *Works within a Road Reserve Permit – Works Associated with a Development Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Clause 6.7 of the NT Planning Scheme.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully



Nadine Nilon
Director Infrastructure and Operations

13 July 2018

Development Assessment Services
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

PA2018/0270

**Section 6757 (3) Grosvenor Circuit, Holtze, Hundred of Bagot
Warehouse and ancillary office with reduced side and rear setbacks**

Thank you for the Development Application referred to this office on 29/06/2018, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council wishes to lodge the following submission under Section 49 of the NT *Planning Act*, in which Council objects to the granting of a Development Permit for the following reasons:

- a) The application does not comply with the setback requirements of the NT Planning Scheme, which requires a "minimum setback to at least one side boundary and to the rear boundary" of 5m. The application does not indicate why the proposal requires a variation to this clause and has not provided any information indicating why the setbacks should be varied. Council supports the setback requirements of the NT Planning Scheme and cannot support an application that does not provide special circumstances for the variations requested, particularly given that the proposal is for an entirely new building on a vacant site. Should information on special circumstances be provided, Council would review that information and provide additional comments.
- b) Council requires amended plans illustrate locations for waste storage and removal. The location should not block any other features of the site, including car parking spaces or doorways, and should be accessible to waste removal vehicles. It is Council's preference that waste removal vehicles be able to enter and exit the site in a forward gear.
- c) Council also requires swept path diagrams to show how the loading vehicles will be able to manoeuvre internally on the site, as it currently appears difficult for the vehicles to turn around without conflicting with the building or car parking spaces.

Should the application be approved, the Council requests the following condition(s) be included as Condition(s) Precedent in any Development Permit issued by the consent authority:

- a) Prior to the endorsement of plans and prior to the commencement of works, a schematic plan demonstrating the on-site collection of stormwater and its discharge into Litchfield Council's stormwater drainage system shall be submitted to and approved by Litchfield Council. The plan shall include details of site levels and Council's stormwater drainage connection point(s).
 - i. The plan shall demonstrate how all stormwater is to be collected on the site and discharged underground to Litchfield Council's stormwater drainage system.
 - ii. It is necessary to ensure that no stormwater will sheet-flow into the road reserve or onto adjoining properties.
 - iii. The plan shall demonstrate that the drainage system is designed to cater for both initial storm events (Q5) and major storm events (Q100).
 - iv. The applicant's plans shall demonstrate that no contaminated water shall enter any waterway or Litchfield Council's drainage system.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) The kerb crossovers and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall remove disused crossovers; provide footpaths/cycleways, as required by Litchfield Council; collect stormwater and discharge it to the drainage network; and undertake reinstatement works; all to the technical requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council, and at no cost to Litchfield Council.
- b) No fence, hedge, tree or other obstruction exceeding a height of 0.6m is to be planted or erected so that it would obscure sight lines at the junction of the driveway and public street, to the satisfaction of the Director Infrastructure and Operations, Litchfield Council.
- c) Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
- d) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council.


Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Inspection fees and charges may apply in accordance with Litchfield Council's current Fees and Charges. Additional information can be found at www.litchfield.gov.nt.au.
- b) A *Works within a Road Reserve Permit – Works Associated with a Development Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.

- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Clause 6.7 of the NT Planning Scheme.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully



Nadine Nilon
Director Infrastructure and Operations



2 August 2018

Development Assessment Services
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

PA2018/0296

**Section 5922 (17) Staines Court, Girraween, Hundred of Bagot
Independent unit exceeding 50m2**

Thank you for the Development Application referred to this office on 20/07/2018, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council wishes to lodge the following submission under Section 49 of the NT *Planning Act*, in which Council objects to the granting of a Development Permit for the following reasons:

- a) The intent of an independent unit clause is not to create multifamily blocks just because there are excess structures on site. Zone RR is for rural residential purposes not multiple dwellings. The intent of the clause is to support a small independent unit not multiple dwellings.

The application does not provide any special circumstances that makes this site or proposal different from any other property in the rural area. The proliferation of multiple dwellings in the rural area without special circumstances would have impacts on Council infrastructure.

- b) Council is concerned with over development of this lot and the negative impact it may have on the rural amenity.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) The kerb crossovers and/or driveways to the site are to meet the technical standards of Litchfield Council. The owner shall remove disused crossovers; provide footpaths/cycleways, as required by Litchfield Council; collect stormwater and discharge it to the drainage network; and undertake reinstatement works; all to the technical requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council, and at no cost to Litchfield Council.

- b) Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
- c) Any developments on or adjacent to any easements on site in favour of Council shall be carried out to the requirements and satisfaction of the Director Infrastructure and Operations, Litchfield Council.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Inspection fees and charges may apply in accordance with Litchfield Council's current Fees and Charges. Additional information can be found at www.litchfield.gov.nt.au.
- b) A *Works within a Road Reserve Permit – Works Associated with a Development Permit* is required from Litchfield Council before commencement of any work within the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.
- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Clause 6.7 of the NT Planning Scheme.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully



Nadine Nilon
Director Infrastructure and Operations

2 August 2018

Development Assessment Services
Department of Infrastructure, Planning and Logistics
GPO Box 1680
Darwin NT 0801

RE: Letter of Comment Development Application

**PA2018/0305
Lot 15 (345) Whitewood Road, Howard Springs, Hundred of Bagot
Subdivision to create 2 lots**

Thank you for the Development Application referred to this office on 20/07/2018, concerning the above. This letter may be tabled at Litchfield Council's next Council Meeting. Should this letter be varied or not endorsed by Council, you will be advised accordingly.

The following issues are raised for consideration by the Authority:

Council wishes to lodge the following submission under Section 49 of the NT *Planning Act*, in which Council objects to the granting of a Development Permit for the following reasons:

The application does not comply with the minimum lot size required by the NT Planning Scheme, including Clause 11.1.1 Minimum Lot Sizes and Requirements, Clause 14.7.3 Planning Principles and Area Plan for the Howard Springs Rural Activity Centre, and the policy reference document Litchfield Subregional Land Use Plan.

The application proposes to subdivide a 2-hectare site in Zone RL (Rural Living) into two 1-hectare parcels.

Under the NT Planning Scheme, the minimum lot size for a lot in Zone RL (Rural Living) is 2 hectares. The Litchfield Subregional Land Use Plan indicates that lots in Zone RR (Rural Residential) in close proximity to a Rural Activity Centre can subdivide to 1 hectare while lots in Zone RL (Rural Living) should be a minimum of 2 hectares. The Planning Principles and Area Plan for the Howard Springs Rural Activity Centre indicates that rural residential development outside of the activity centre must comply with the Litchfield Subregional Land Use Plan.

The subject site is outside of the Howard Springs Rural Activity Centre and is located in Zone RL (Rural Living). Thus, the minimum lot size permitted is 2 hectares.

The appropriate pathway for achieving 1 hectare lots on the subject site would be to apply to rezone the site from Zone RL (Rural Living) to Zone RR (Rural Residential). Should the rezoning be successful, then the lot would be permitted to have lots of 1 hectare in size and Council could support the subdivision to two 1-hectare parcels.

The rezoning prior to subdivision is necessary as the process of rezoning prior to subdivision established by the Area Plan allows individual landowners to make the choice to rezone their property and to accept all of the benefits and restrictions that come with the changing of the zone, as well as allowing the community to comment on that change. Should rezonings in line with the Area Plan be approved, the ability to achieve the minimum lot sizes within that zone through subdivision should be almost a formality for the landowner.

Should the application be approved, the Council requests the following condition(s) be included as Condition(s) Precedent in any Development Permit issued by the consent authority:

- a) The crossover and driveway shall meet Litchfield Council's requirements, and the following changes to the proposed plans are required:
 - i. Council requires the two driveway crossovers to be separated by a minimum of 30m in accordance with AustRoads Guidelines. It is recommended the proposed new driveway be moved further to the south to meet the minimum requirements.

Should the application be approved, the following condition(s) pursuant to the *Planning Act* and Council's responsibility under the *Local Government Act* are also recommended for inclusion in any Development Permit issued by the consent authority:

- a) **A monetary contribution is required to be paid to Litchfield Council in accordance with its development contribution plan for the upgrade of roads and drainage infrastructure as a result of this development.** The contribution payable is in accordance with that for Catchment Area 13A, in which the site falls within the Council's *Developer Contributions Plan for Roads and Drainage*.
- b) Engineering design and specifications for the proposed and affected roads, street lighting, stormwater drainage, vehicular access, pedestrian/cycle corridors, and streetscaping shall be to the technical requirements and approval of Litchfield Council, with all approved works constructed at the developer's expense.

Note: Design drawings should be approved by Litchfield Council prior to construction of the works.

- c) Soil erosion control and dust control measures must be employed throughout the construction stage of the development to the satisfaction of the consent authority.
- d) All existing or proposed easements or reserves required for the purposes of stormwater drainage, roads, access or for any other purpose, shall be made available free of cost to, and in favour of, Litchfield Council and/or neighbouring property owners.

Should the application be approved, the following notes are recommended for inclusion in any Development Permit issued by the consent authority:

- a) Inspection fees and charges may apply in accordance with Litchfield Council's current Fees and Charges. Additional information can be found at www.litchfield.gov.nt.au.
- b) *A Works within a Road Reserve Permit – Works Associated with a Development Permit* is required from Litchfield Council before commencement of any work within

the road reserve, which would include creation of any driveway crossover connecting to Litchfield Council's road network.

- c) Notwithstanding any approved plans, signs within Litchfield Council's municipal boundaries are subject to approval under Clause 6.7 of the NT Planning Scheme.

If you require any further discussion in relation to this application, please contact **Litchfield Council's Planning and Development division** on 08 8983 0600 and you will be directed to the appropriate officer to address your query.

Yours faithfully



Nadine Nilon
Director Infrastructure and Operations

Attachment E

There were no Mining Applications responded to during this time period.



COUNCIL REPORT

Agenda Item Number:	15.4
Report Title:	Development of Animal Management Plan
Report Number:	18/0122
Meeting Date:	15/08/2018
Attachments:	Attachment A – Draft Discussion Paper Attachment B - Community Engagement Plan Attachment C – Project Timeline

Purpose

This report presents for Council's endorsement to be released for public consultation, an Animal Management Plan Discussion Paper as the first step in Council developing a four-year Animal Management Plan.

The report also provides Council with a timeline for the development of the Animal Management Plan and Community Engagement Plan for the Discussion Paper.

Summary

The development of a long-term Animal Management Plan was included in Council's 2017-18 Municipal Plan. However, the delay in finalising Council's Dog Management By-laws has meant that this work is only now commencing.

An Animal Management Plan will guide Council's future direction in animal management and will identify the key activities Council intends to undertake over the next four years.

The Animal Management Discussion Paper presented in this report represents the first step in engaging the community on priorities and programs and will inform the development of the Animal Management Plan.

Recommendation

THAT Council endorses the Animal Management Plan Discussion Paper to be released for public consultation for the month of September 2018.

Background

An Animal Management Plan is like a waste management strategy or a community engagement plan, or any other strategy, only about animal management. It will set out the areas and programs Council intends to focus on over the coming four years and articulate the key challenges and opportunities together with how Council intends to address these and how much it will cost.

An Animal Management Plan will outline programs, services and strategies which Council intends to pursue to promote and encourage:

- Responsible ownership of dogs
- Compliance with Council's Dog Management By-laws
- Authorised officers to be appropriately trained
- Community safety and amenity protection
- A high rate of dogs reunited with owners and that Council maintains a low euthanasia rate of dogs surrendered or are unclaimed from Council's pound
- De-sexing of dogs

An Animal Management Plan will also provide for the periodic review of any program, service or strategy outlined in the Plan.

The development and implementation of an Animal Management Plan will demonstrate Council's commitment to working with the community on best practice animal management and raise greater awareness about responsible dog ownership.

The attached Discussion Paper is intended to be released for a period of four weeks, providing the community and stakeholders with an opportunity to make comment. Feedback from the Discussion Paper will inform a draft Plan. A range of community engagement activities will be undertaken during September 2018 as part of the public consultation period, see Attachment B Community Engagement Plan and Attachment C Timeline.

Once Council endorses a draft Animal Management Plan, this too, will go through a period of public consultation prior to final adoption by Council.

Links with Strategic Plan

Priority #2 – A great place to live

Legislative and Policy Implications

An Animal Management Plan is not a legislative requirement however it is seen as good practice, setting out what Council intends to focus on in the area of animal management and how much it intends to allocation in funds to manage this program area.

Risks

Nil

Financial Implications

The development of an Animal Management Plan will be managed in-house and within the 2018/19 budget. No additional resources are anticipated except some graphic design costs for a draft Animal Management Plan later in the process.

Community Engagement

Refer to Attachment B Community Engagement Plan.

Recommending Officer: **Nadine Nilon, Director Infrastructure and Operations**

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.

DISCUSSION PAPER

Litchfield Council Animal Management Plan

2019 - 2023



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1. INTRODUCTION

Litchfield Council is preparing a four-year Animal Management Plan (2019 – 2023), which will guide its management of domestic dogs and other animals within the municipality. We are interested in hearing from you on what you feel the key issues are and what actions you'd like to see taken by Council.

Council is committed to ensuring that our community's safety and amenity is upheld and protected, and that Litchfield is the best place to live in the Top End.

You can share your views with us online via the 'Your Say Litchfield' website at yoursay.litchfield.nt.gov.au, in person, or by mail to PO Box 446, Humpty Doo, NT 0836. Your input will assist Council to develop a draft Plan which will be available for public comment later this year.

Please take the time to read the discussion paper before telling us what you think, or simply respond to the questions outlined below.

2. BACKGROUND

The development and implementation of an Animal Management Plan will provide Council with a strategic framework to effectively manage the increasing number of domestic dogs within our community. The Plan will also outline how other animals, such as wild dogs and livestock, are managed.

The purpose of the Animal Management Plan is to:

- Outline the programs, services and strategies which the Council intends to pursue;
- Ensure that people are aware of Council's Dog Management By-laws and encourage compliance with the By-laws;
- Promote and encourage the responsible ownership of dogs;
- Ensure that authorised officers are appropriately trained;
- Minimise the risk of attack by dogs on people and animals;
- Address over-population and high euthanasia rates for dogs;
- Encourage the identification, registration and de-sexing of dogs;
- Minimise the potential for dogs to create a nuisance; and
- Provide for the periodic review of any program, service or strategy outlined in the plan.

Council believes that a long-term Animal Management Plan is vital to ensure the effective management of animals within our community.

3. KEY FACTS

3.1 Population (people and dogs)

Our municipality encompasses a unique rural living environment and, in addition to dogs, many residents keep poultry, horses, cattle and other livestock for recreational, commercial and hobby purposes on their properties.

With a population of approximately 25,300 residents living in 8,300 properties, it is estimated that there are at least 6,700 domestic dogs living in our community. This figure is based on the current national average of 38% of households owning 1.3 dogs and, taking into consideration that many of Litchfield's residents own multiple dogs, we estimate that as many as 45% of households in the municipality could own 1.8 dogs.

3.2 By-laws

Council implemented new dog management by-laws in July 2017, with some significant changes being introduced aimed at assisting Council to more effectively manage the increasing number of dogs within the municipality.

Litchfield Council's Dog Management By-laws require dog owners to microchip and register their dogs and to ensure they are appropriately contained on their property. Dog registration is the most efficient way for Council to deal with problem dogs and irresponsible dog owners by enabling conditions to be placed on registration, or cancellation of registration in some cases, resulting in removal of the dog from the municipality. Since the implementation of dog registration, Council Rangers have removed two dogs from the municipality for non-registration. The owner of the dogs was provided the opportunity to register or voluntarily remove the dogs from the municipality but failed to do either, so Rangers obtained a warrant from the Court to enter the property and seized the dogs.

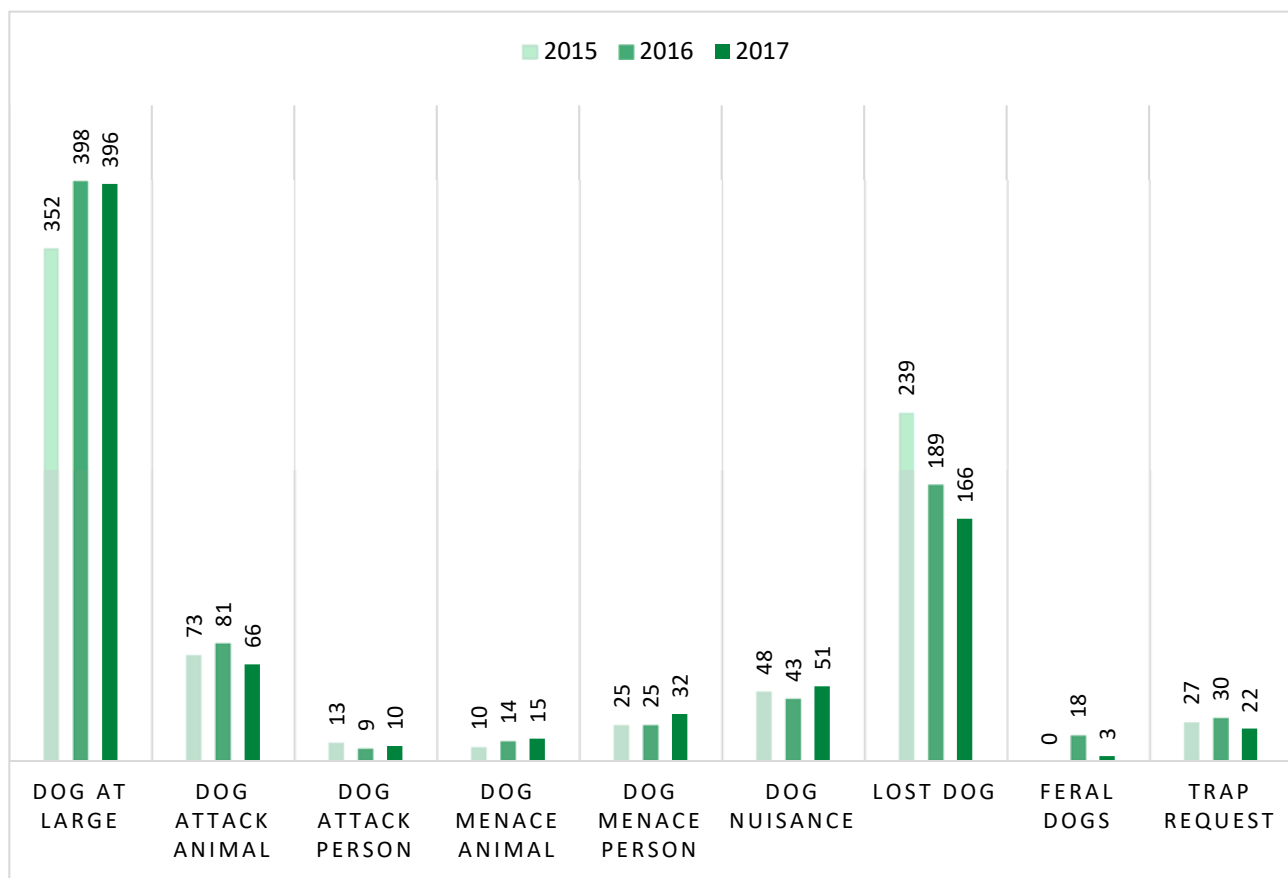
The By-laws provide Council with the ability to declare a dog dangerous, with strict conditions placed on the dog's registration to reduce the likelihood of the dog attacking again. Since implementation of the new Dog Management By-laws, Council has declared two dogs to be Dangerous Dogs. One of these dogs is now deceased and the other dog was required to be removed from the municipality as the conditions of registration were breached. This dog now resides in Darwin as a Declared Dangerous Dog.

All dogs are required to be on a suitable leash when in a public area and although there are currently no designated dog exercise or restriction areas within the municipality, the By-laws allow Council to declare such areas if the need is identified in the future.

The By-laws also provide Council with the ability to determine a maximum number of dogs that are permitted to be kept on a property (or properties) without a licence.

3.3 Customer Request Statistics

The chart below shows the number and type of animal-related requests received from members of the public over the past three years.



It is important that roaming dogs, nuisance dogs, dog attacks and all incidents involving dogs that occur in our community are reported to Council, especially where dogs are repeatedly roaming. This enables Council Rangers to speak with the dog owners and to assist them in resolving any containment and/or dog behaviour issues which may be placing the dog and the community at risk.

3.4 Resourcing

Litchfield Council's Animal Management Team (Regulatory Services) currently consists of a Regulatory Services Manager and two full time Rangers. Administrative support in the processing of dog registration payments is provided by Customer Service staff. The Team investigate complaints, manage the Council's pound facility, conduct patrols, provide a microchipping service and respond to all animal related enquiries. The three full-time staff in the Animal Management Team work Monday to Friday 8.15am to 4.30pm.

Additional resources would be required to enable Council to provide this service outside of Council's normal hours of operation. Council's Enterprise Agreement specifies that all time worked on a Saturday and/or Sunday shall be paid at the rate of double time and at a rate of double time and a half for hours worked on a public holiday. The agreement also specifies that employees should receive a ten-hour break after completing overtime and before commencing their next ordinary

shift. If this is not possible, the employee must then be paid at the normal overtime rate of time and a half.

For safety reasons, Rangers working after hours would be required to work in pairs, and Council would have to employ a minimum of two additional Rangers to facilitate this so two Rangers could be rostered on as 'on-call' for each seven-day period. It is estimated that it would cost Council an additional \$200,000 per year to provide an after-hours animal management service.

The net operating cost to run Council's Regulatory Services Team for the 2016/17 financial year was \$370,049, and with an increase in revenue (mainly due to the introduction of dog registration), the net operating cost for Regulatory Services in the 2017/18 financial year has been reduced to approximately \$305,000.

Below is a comparison table with data from our neighbouring councils, Darwin and Palmerston.

Resourcing Comparison Table 2016/17

COUNCIL	Area Km ²	Population	Reg'd Dogs	No. of Staff	2016/17 Expenditure	2016/17 Income	2016/17 Total Net Cost
Litchfield	3100	25,262	5,200	3	408,048	37,999	370,049
Palmerston	56	33,695	5,988	7.5	700,000	325,000	375,000
Darwin	112	84,468	9,584	27	4,246,000	2,621,000	1,625,000

The data provided in the comparison table represents the entire Regulatory Services section of each of the Councils. Darwin Council's Regulatory Services section is responsible for CBD and Suburban Parking, Untidy Allotments, Abandoned Vehicles, Illegal Camping and Animal Management. Palmerston Council's Regulatory Services section mainly deal with animal related complaints, with a small percentage of their resources allocated to Parking Enforcement, Abandoned Vehicles and Untidy Allotments. Apart from approximately 30 Abandoned Vehicle customer requests each year, Litchfield Council's Regulatory Services Team deal predominantly with Animal Management issues.

The budgeted net operating cost of Litchfield Council's Regulatory Services section for the coming year will decrease further, being forecast at \$294,864 in Council's 2018/19 budget.

3.5 Staff Training and Development

Council is committed to ensuring that Rangers are appropriately trained and equipped to carry out their duties safely, appropriately and in accordance with legislative requirements. Rangers are required to have an understanding of legislation and investigative processes, as well as sound animal handling skills, including dangerous dog handling.

Over the past two years, Rangers have successfully completed the Certificate IV in Government Investigations which they studied externally, and which was fully funded by Council. Rangers also attended an Animal Management Officer workshop in Darwin, a Dangerous Dog Handling workshop and training in Effective Conflict Resolution.

The Regulatory Services Manager and one Ranger attend the Australian Institute of Animal Management (AIAM) Workshop and Conference which is held annually. This is a fantastic opportunity for Council's Animal Management staff to network with other animal management professionals from across the country and to gain valuable insight into animal management practices within other Council areas throughout Australia. Council's current Regulatory Services Manager sits on the AIAM Committee as the only representative from the Northern Territory.

Council allocated \$5,000 in its 2017/18 budget for training and development of Regulatory Services staff and has provided the same amount of funding in its 2018/19 budget.

3.6 Recent Initiatives

Free Dog Registration

Changes to the Litchfield Council Dog Management By-laws saw the introduction of dog registration in August 2017. Free dog registration was provided to all dog owners who registered their dogs prior to 15 December 2017.

Dog Awareness Program for Schools

Council's Animal Management Team have presented a Dog Awareness Program to primary school students at Sattler Christian College and Bees Creek Primary School over the past two years. The program is aimed at increasing awareness about dog aggression, encouraging responsible dog ownership, dog behaviour and dog health and wellbeing in general.



The program is offered to nine Litchfield Primary Schools each year, with Sattler Christian College and Bees Creek Primary School being the only schools to participate so far.

De-sexing Initiative

Over the past two years, Council has provided two hundred de-sexing vouchers, valued at \$100 each, to dog owners within the municipality. This initiative was aimed at encouraging residents to de-sex their dogs and promoting the importance of de-sexing as a part of responsible pet ownership.

The de-sexing of dogs results in a range of well-known benefits for dogs and their owners, including specific health benefits for dogs, improvement in the sociability of dogs, and a reduction in unwanted litters. Recent research and animal behaviour studies indicate that:

- De-sexed dogs are less aggressive;
- De-sexed dogs are less likely to wander from home;
- De-sexed dogs are less likely to display nuisance behaviours; and
- Initiatives that encourage the de-sexing of dogs are more likely to directly reduce the risk of dog attacks than public education alone.

Council's pound statistics support this research, with 80% of the dogs found wandering and impounded by Council in the past year, not being de-sexed. Increasing the number of de-sexed dogs within the community will assist in reducing the number of wandering dogs, dog attacks and nuisance dogs, and also help to reduce the number of unwanted dogs that are either dumped or left unclaimed in Council's pound.

As a further incentive for dog owners to de-sex their dogs, the registration fees for de-sexed dogs are heavily discounted.

Free Microchipping

In 2016/17, Council provided free microchipping for the months of September and January as well as distributing vouchers to dog owners for free microchips at the Fred's Pass Show and Woofstock, an annual festival held for dogs in Darwin. Almost 400 free microchips have been provided by Council to dogs within the Litchfield municipality over the past two years.

4. DISCUSSION

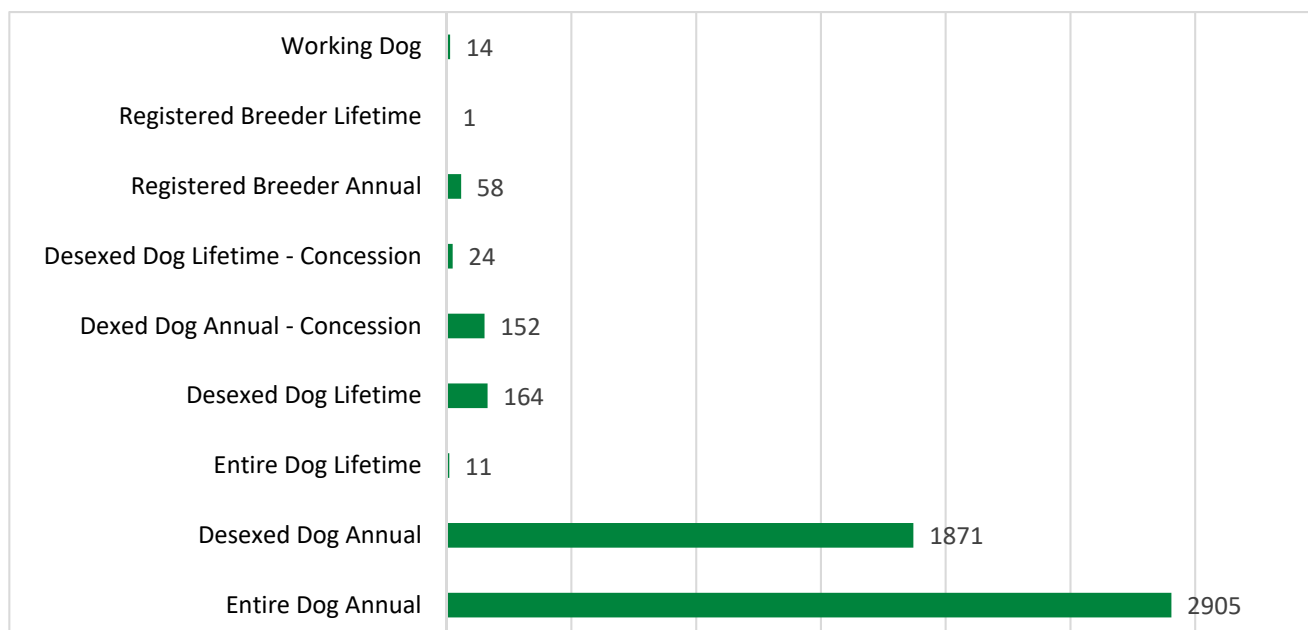
4.1 Registration and identification

All dogs that are kept in the Litchfield Municipality for 3 months or more are required by law to be microchipped and registered with Council. Registration is the quickest way for Rangers to re-unite lost dogs with their owners, as contact details linked to microchips are often out of date.

Annual and Lifetime registration options are available, and Council provides significant fee discounts for dogs that are de-sexed to encourage responsible dog ownership within our community.

Council also provides the first year of annual dog registration free for Litchfield residents who adopt a dog from Paws Darwin or RSPCA Darwin.

In 2017/18 the following registrations by dog category occurred:



Registration fees partially off-set the cost of Council's Animal Management service, including proactive patrols, responsible pet ownership education and investigation of dog attacks, roaming dogs and nuisance dogs, which go a long way to ensuring the safety and amenity of our community. Of the 8,047 dogs on Council's microchip database, 2,760 of these have been recorded as deceased or having left the municipality, 3,025 have been registered with Council, and owners of the remaining 2,262 dogs (which are deemed to be registered as they are listed on Council's microchip database but have not yet been issued with a Council registration tag) will be required to renew their registration prior to the end of the registration period on 31 August 2018.

We are aware that not all dog owners register their pets and it is estimated that there are at least an additional 2,000 unregistered dogs within our community. Securing initial and annual registrations will be an ongoing challenge for Council.

Question 1

What activities/incentives do you think Council could include in its Animal Management Plan to encourage people to microchip and register their dogs?

4.2 Roaming dogs

Dogs are required to be confined to their home property except in the company of their owner (or handler), and on a suitable lead, in public places.

The risks associated with dogs in public places (whether with their owner or wandering at large) include dog attacks on people and other animals and impacts to the enjoyment and safety of other people. There are also welfare concerns for dogs that are wandering at large.

One of the biggest challenges for Council, and for some dog owners in the rural area, is containment. With many large, rural properties only having three strand or pig mesh fencing, other methods of containment are often required to prevent dogs from escaping. Council Rangers are available to provide advice and assistance to dog owners about containment.

The table below compares the number of dogs impounded by Litchfield, Palmerston and Darwin councils for the 2016/17 financial year.

Council	LITCHFIELD	PALMERSTON	DARWIN
Registered Dogs	5200	5988	9584
Dogs Impounded 2016/17	355	737	828

It is important that roaming dogs are reported to Council so that Rangers can speak with dog owners and assist them in resolving any containment and or behavioural issues.

Council is aware that social media sites are being increasingly used to reunite lost pets with their owners, however, the use of social media sites can present certain risks that should be taken into consideration.

- How do you know the person claiming ownership of the pet is the owner? Animal ownership can only be 100% verified by checking the animal's registration and microchip details.
- Is the animal's welfare at risk? Wandering animals are commonly at risk of road trauma and the animal may be regularly escaping with the owner not taking any action to prevent this.
- What is the animals' history? Whilst the animal may appear good natured, it may pose a risk to other animals or people.

We understand that people would prefer to re-unite lost and found dogs with their owners without involving Council, but where dogs are repeatedly escaping their property and roaming, they are at risk of being injured or stolen and threatening the safety of others in our community.

All dogs that are found wandering and impounded by Council are required to be microchipped and registered with Council prior to being released to their owner. When Rangers pick up a dog that is registered with Council, they will attempt to return the dog to its owner immediately without the dog having to be impounded. Owners of registered dogs that are impounded are not required to pay a pound release fee the first time that their dog is impounded by Council.

Question 2

What activities do you think Council could include in its Animal Management Plan to help reduce the number of roaming dogs in our community?

Question 3

What activities do you think Council could include in its Animal Management Plan to encourage people to report roaming dogs to Council?

4.3 Unwanted animals

The number of dogs impounded by Council in 2017 was 347, with 126 of these dogs not being collected by their owner. Of these 126 unclaimed dogs, 92 were transferred to PAWS Darwin for re-homing, 22 went to the RSPCA for re-homing and 12 were required to be euthanised.

Council is committed to ensuring that dogs are not euthanised unnecessarily, that surrendered dogs can be rehomed, if appropriate, and that dogs are not left unclaimed in Council's pound.

One of the most common myths about calling the Rangers to pick up a stray dog or dropping a lost dog off at the Council pound, is that the dog will be put down. Council Rangers work very hard to identify and locate the owners of all impounded dogs and, if no owner comes forward, dogs are offered to Paws Darwin or the RSPCA for re-homing.

Council recently introduced a Disposal of Surrendered and Unclaimed Dogs Policy to ensure that dogs are disposed of appropriately, with euthanasia only considered as an acceptable disposal option under the following circumstances:

- A dog is surrendered to Council for the purposes of euthanasia;
- A dog is vicious, dangerous, feral, unmanageable or likely to cause harm due to its behaviour or temperament;
- A dog is diseased as determined by a veterinary surgeon; or
- A dog is unable to be taken by any re-homing organisation after being impounded for the prescribed period.

In cases where euthanasia is required, it must be carried out by a registered veterinarian.

Council would like to see an increase in the number of impounded dogs collected by their owners, not only because it is a better outcome for the dogs, but it will also reduce the cost to Council for disposal, relieve some pressure from re-homing organisations, and assist Council in maintaining its low euthanasia rate.

Question 4

What activities do you think Council could include in its Animal Management Plan to reduce the number of unwanted dogs that are surrendered, dumped or left unclaimed in the Council pound?

4.4 Nuisance barking

Nuisance barking is generally less of an issue for residents in the rural area due to the size of the properties. In 2017 there were a total of 51 barking complaints registered with Council, which were all resolved without Council taking any formal enforcement action against the dog owners, such as cancellation of registration or placing conditions on registration.

Council Rangers mediate most of these issues to resolution by providing education and tools for reducing any identified nuisance behaviour. Council has anti-bark collars available for hire to assist residents in preventing nuisance barking.

4.6 Dog attacks

There was a total of 76 reported dog attacks reported to Council in 2017, with 66 of those being attacks against other animals such as chickens, small livestock or other dogs, and the remaining 10 being attacks on people.

Research shows that dog aggression most often occurs through fear and anxiety which can be associated with poor socialisation. To increase socialisation of dogs, Council encourages dog owners to attend puppy school or dog obedience and socialisation classes with their dogs. Rangers may

require owners of dogs that are involved in dog attack or menace incidents to attend one or more dog obedience classes to address behavioural issues and reduce the likelihood of repeat offences.

Rangers proactively provide education and advice on the effective control and containment of dogs to prevent attacks. When a reported dog attack is proven, Council Rangers may issue infringements to the owner of the offending dog, and/or declare the dog to be dangerous. In vicious, unprovoked attacks, where a dog is identified as a serious threat to the community, the Council or a Magistrate may order that a dog be destroyed.

Question 5

What activities do you think Council could include in its Animal Management Plan to help minimise the risk of dog attacks occurring in our community?

4.7 Dog exercise and restriction areas

Council recognises the benefits of dog walking and socialisation, which, in the future, may include the need for public areas where dogs can be exercised off lead. However, there are challenges in the provision of off-lead dog exercise areas. These challenges include:

- effective control of dogs in off lead areas;
- ensuring people remove their dog's waste from public areas and dog exercise areas;
- managing the growth in our municipality's population and corresponding demands on public open space by all members of the community, including dog owners; and
- identifying public areas that are suitable for designated off lead dog exercise areas.

Question 6

Do you think there is a need for one or more designated dog exercise areas within the municipality?

Question 7

Are there public areas in the Litchfield municipality where you think dogs should not be allowed?

4.8 Education about responsible pet ownership and other matters

Educating the community about responsible pet ownership underpins the provision of the Litchfield Council's Animal Management program. We undertake a range of activities to encourage responsible dog ownership, including:

- Information sheets and brochures are published on our website and available at the council office;
- Provision of a low-cost microchipping service;
- Our 'Dog Awareness Program' for children is offered to all local primary schools annually and delivered by Council Rangers; and
- Rangers are in attendance at key community events such as the Fred's Pass Show;
- Council's social media accounts are frequently used to provide helpful information such as keeping pets safe in storms and hot weather.

Question 8

What other activities do you think Council could include in its Animal Management Plan to educate the public and encourage people to be responsible dog owners?

4.9 Wild Dogs

Wild dogs in our community can have a number of adverse impacts. They may attack livestock and domestic pets, prey on native species, spread disease, dilute 'dingo' genetics, threaten human safety and potentially impact the general enjoyment of rural residential properties.

It is difficult to accurately determine the full economic, environmental and social impact of wild dogs on the community, as many people do not report sightings or incidents involving wild dogs to Council. On the other hand, people often assume that wild dogs may be responsible for the loss of pets, stock or poultry when it is wandering domestic dogs that are the culprit.

Landholders, residents, local and Northern Territory government agencies share the responsibility of managing pest animals on their respective lands, and a cooperative approach is required to effectively manage the wild dog population in the area.

- The Parks and Wildlife Commission of the Northern Territory are responsible for management of land and marine protected areas across the Territory;
- The Department of Infrastructure, Planning and Logistics have a responsibility to manage pest animals, including wild dogs, that are inhabiting Crown land; and
- Landholders have a responsibility to take preventative measures against wild dogs and to ensure that their domestic dogs are contained.

A wild dog fact sheet is available on the Litchfield Council website and large dog traps are available for hire from Council if required.

Question 9

What activities do you think Council could include in the Animal Management Plan to help reduce the impact that wild dogs have in our community?

4.10 Livestock and other animals

Council does not currently have any By-laws in place to manage and/or regulate any animals apart from dogs.

If you are having issues with feral cats, Council has cat traps available for hire. Any trapped cats that appear to be domestic or owned should be taken to the nearest Vet or brought in to Council to be scanned for a microchip. Council does not have any facilities to impound or dispose of cats, whether feral or domestic. If you trap a feral cat, it should be disposed of humanely and in accordance with the Animal Welfare Act. If a trapped cat is identified as a domestic cat it should be taken to the RSPCA Darwin or any of the local animal re-homing shelters.

In accordance with the NT Government's Livestock Biosecurity requirements, you must have a property identification code for your property if you keep poultry, pigeons or other livestock, regardless of the size of your property, the number of animals you have, or if they are pets. Information brochures regarding property identification codes and the keeping of livestock are available at the Council office.

Where livestock or other animals, whether native, feral or owned, wander onto a road and pose a traffic hazard, the NT Police should be contacted immediately.

5. NEXT STEPS

You can share your views with Council online via the 'Your Say Litchfield' website at yoursay.litchfield.nt.gov.au. You may wish to prepare a written submission or complete the questionnaire which can be mailed to PO Box 446, Humpty Doo, NT 0836 or hand delivered to the Council office located at 7 Bees Creek Road, Fred's Pass.

Once the consultation period is over, the survey results and submissions will be considered by Council in preparation of its draft Animal Management Plan, which will be released for public comment once completed.

ATTACHMENT B

ANIMAL MANAGEMENT PLAN DISCUSSION PAPER CONSULTATION

Community Engagement Plan

Introduction

The development of a four-year Animal Management Plan was included in Council's 2017/18 Municipal Plan.

An Animal Management Plan will guide the future direction of animal management within the Municipality and identify the key activities to be undertaken over the next four years.

To inform the development of an Animal Management Plan, Council is releasing a Discussion Paper to encourage community and stakeholder input.

The Animal Management Plan Discussion Paper provides information about Council's current animal management activities and initiatives, resourcing, customer request statistics, background information and includes a series of questions to encourage feedback from the community and other stakeholders.

Community Consultation Campaign

This campaign presents an opportunity to inform the community about purpose and content of the four-year Animal Management Plan and will enable community members and stakeholders to play a role informing the development of the draft Plan prior to its release for community comment.

The consultation period will be open for 4 weeks from 1 September to 30 September 2018.

A summary of comments and survey results will be provided to Council at the end of the consultation period.

Consultation Objectives

- Inform the community about the current animal management challenges, activities and initiatives undertaken by Council to date
- Provide an opportunity for community and stakeholders comment, feedback and ideas to inform and shape the development of a draft Animal Management Plan
- Increase awareness about animal management in general and in particular, responsible dog ownership

Key Messages

Council's Commitment:

- Council is committed to effective and efficient animal management
- Responsible dog management is one of the top priorities for Litchfield residents

- Litchfield residents' enjoyment of the rural amenity continues to be impacted by dog behaviour
- A four-year year Animal Management Plan will set out Council's animal management program including key objectives, actions and costs

Community Consultation

The Discussion Paper is being released to the community to ensure that:

- the community and key stakeholders can influence the development of the draft Animal Management Plan
- there is greater understanding of what is required in a Plan
- there is greater awareness of the key challenges relating to animal management
- animal management data is shared
- Council hears from the community
- a process exists to encourage community input with all feedback and comments to be presented to Council as part of developing the Plan

Key Consultation Activities - proposed dates

Date	Activity
July	Develop a Discussion Paper including key questions for the community to provide input
July	Develop a Community Engagement Plan
August	Develop roster and locations for pop up stalls
September	Release Discussion Paper on Website, Facebook and Yoursay.litchfield.nt.gov.au
September	Email stakeholders
September	Distribute media release
September	Pop up stalls at various locations and times
October	Finalise feedback and comments table/survey results & develop draft Animal Management Plan
December	Present draft Animal Management Plan and Community Engagement Plan to Council

Campaign Strategies

- **Get active online:** Develop an active and rich online environment from which the community can view, download and comment on the Animal Management Plan Discussion Paper
- **Engage the media:** Launch the community consultation campaign with a media release
- **Be available in person:** stage several community information displays (pop up stalls) so that members of the community can talk to a Councillor and Animal Management staff

Consultation Activity

Tactics	Details	Target Audience	Desired Outcome
Discussion Paper Launch – Media release	<ul style="list-style-type: none"> Summary of the Discussion Paper, objectives and details where people can go to for more information How to provide feedback 	Local community & stakeholders	Increased awareness of the Animal Management Plan & Discussion Paper, opportunity for community & stakeholder input
Community Displays (pop-up stalls) – Shopping Centres, Markets, etc.	<ul style="list-style-type: none"> Flyer Copy of Discussion Paper Have your say leaflets 	Local community	Increased awareness of the Animal Management Plan & Discussion Paper, opportunity for community & stakeholder input
Stakeholder/Interest Groups Emails	<ul style="list-style-type: none"> Email Schools and request that the flyer be put in with their newsletters Email animal management section of neighboring councils & other stakeholders Email Elected Members for distribution across their groups 	Schools, neighboring councils (animal management section), Elected Members, other stakeholders	Increased awareness of the Animal Management Plan & Discussion Paper, opportunity for community & stakeholder input
Website	<ul style="list-style-type: none"> Include rich content as per the flyer Cross-promote with social media Ensure all details on how to provide input Include the Discussion Paper for viewing and downloading 	Broader community	Increased awareness of the Animal Management Plan & Discussion Paper, opportunity for community & stakeholder input
Engagement HQ	<ul style="list-style-type: none"> “Have your say” – Discussion Paper available and questions can be answered/comments made online 	Local community	Increased awareness of the Animal Management Plan & Discussion Paper, opportunity for community & stakeholder input
Media	<ul style="list-style-type: none"> Media position - proactive Launch of community consultation period, invitation for community to provide input, increase awareness of the Discussion Paper Radio interviews The Sun Newspaper article – Mayor’s column 	Broader community	Increased awareness of the Animal Management Plan & Discussion Paper, opportunity for community & stakeholder input
Social Media	<ul style="list-style-type: none"> Facebook 	Broader Community	Increased awareness of the Animal Management Plan & Discussion Paper, opportunity for community & stakeholder input

Timeline for development of the Animal Management Plan 2019-2023

September 2018

Step 1

Phase 1 Consultation

Release Animal Management Plan Discussion Paper. Seek community and key stakeholder input about animal management in the Municipality, in particular the management of domestic dogs.

October/November 2018

Step 2

Draft Animal Management Plan

Consider feedback and comments received from Phase 1 consultation and develop a draft Animal Management Plan.

December 2018

Step 3

Council endorsement of draft Animal Management Plan

Present draft Animal Management Plan to Council seeking endorsement to release for public consultation.

December 2018 and January 2019

Step 4

Phase 2 Consultation

Seek community and key stakeholder feedback on the draft Animal Management Plan.

February 2019

Step 5

Finalise draft Animal Management Plan

Consider feedback received during Phase 2 consultation and produce final draft Animal Management Plan.

March 2019

Step 6

Council adoption of Animal Management Plan

Present final draft Animal Management Plan to Council for adoption.



COUNCIL REPORT

Agenda Item Number:	15.5
Report Title:	Award Contract - RFT18-162 Finn Road Roadside Drainage Upgrade
Report Number:	18/0123
Meeting Date:	15 August 2018
Attachments:	Nil

Purpose

To award the contract for upgrades to drainage on Finn Road, following an advertised tender process for RFT18-162 Finn Road Roadside Drainage Upgrade.

Summary

The request for tender RFT18 – 162 Finn Road Roadside Drainage Upgrade was publicly advertised on Tenderlink on 06/04/2018 and closed on 26/04/2018.

In the Request for Tender (RFT), Council nominated a Schedule of Rates arrangement, with a completion time of 8 weeks.

Only one tender was received, from:

Company
Allan King and Sons

The initial tender price provided was \$3,071,361.40. The provisional items (of \$1,132,608.66) have been removed from the scope of works and deducted from the overall tendered price. Further, Council negotiated with the Preferred Contractor for a further varied scope of works, which reduced the tender price to \$1,797,215.32. Note, all values within this report are GST exclusive.

Council has received a grant for these works of \$1,500,000 from the NT Government.

At the same time, Council identified \$420,038 in savings from the Freds Pass Road Upgrade works and has received confirmation from the NTG Department of Infrastructure, Planning and Logistics to transfer those savings to the Finn Road Roadside Drainage Upgrade project.

Based on an assessment of the tender in accordance with the assessment criteria, the tender submitted by Allan King and Sons is considered the preferred tender, at the tender price of \$1,797,215.32, including GST.

This report recommends that Council award the contract to Allan King and Sons.

A separate evaluation report in the Confidential section of this meeting Agenda sets out additional information about the tender evaluation process.

Recommendation

THAT Council

1. award a contract for RFT18-162 Finn Road Roadside Drainage Upgrade to Allan King and Sons, in accordance with their negotiated tender and scope for \$1,797,215.32, excluding GST.

Background

Council applied for \$4,400,000 through the Regional Economic Infrastructure Fund (REIF) for completion of upgrades to Finn Road. While the project was successful in securing funding, the total amount of funding granted was only \$1,500,000, with a request from the Minister to apply for the remaining fund through the Building Better Regions Fund (BBRF). Council's application for BBRF funding was unsuccessful.

As a result, the original scope of works for upgrades to Finn Road was amended to address only urgent drainage works, which were estimated to be able to be completed within the \$1,500,000 budget. To date, approximately \$100,000 has been spent on survey, design and documentation, leaving a balance of \$1,400,000.

As Council only received one tenderer for the project, Council has negotiated the scope of works and pricing with this tenderer to reduce the tender pricing to \$1,797,215.32.

As the Freds Pass Road Upgrade tender, also funded by NTG and advertised at a similar time, has come in under budget, Council requested that the Minister for Infrastructure, Planning and Logistics allow Council to transfer the savings of \$420,038 from this Project to this Finn Road Roadside Drainage Upgrade project.

Tender submission

The RFT called for a Schedule of Rates for the Finn Road Drainage Upgrade based on a unit rate.

The RFT set the following percentile weightings to each section of required responses:

Price:	25%
Local Content:	20%
Past Performance:	25%
Timeliness:	10%
Capacity:	20%

In response to the RFT, Council received one tender from the following organisation:

Company	Address
Allan King and Sons	109 Pruen Road, Berrimah NT 0828

Tender Evaluation

A three-person Tender Evaluation Panel (TEP) comprising Wendy Smith, Acting Director Infrastructure and Operations, Herb Backers, Road Network Manager, and Narayan Subedi, Asset Management Officer, carried out an assessment of each submitted tender against the criteria set out in the RFT. Council also engaged probity advisory services from KPMG Darwin to supervise the tender evaluation process from a probity perspective.

The TEP considered any possible risks associated with the work and determined that the tenderer had properly understood and tendered for the works. Based on an assessment of the tender and in accordance with the assessment criteria, the tender submitted by Allan King and Sons was deemed suitable and was subsequently considered a preferred tender.

As discussed, the scope of works has been reduced and the tender priced negotiated and is now within the available budget for the project.

Links with Strategic Plan

Priority # 1 – Everything you need

Legislative and Policy Implications

Council's tendering processes are undertaken in accordance with the NT Local Government Act and procurement policies, as well as Council's Procurement Policy.

Risks

A risk to the project was that the only tender price received for the works exceeded Council's allocated budget for the works. However, this risk was mitigated by procuring a transfer of excess funding beyond that required was received for the Freds Pass Road Upgrade project, for which Council obtained approval on 24 July 2018.

Financial Implications

Funding for these proposed works has been secured through \$1,500,000 from the NTG Regional Economic Infrastructure Fund (REIF). Approval has been granted from the Minister for Infrastructure, Planning and Logistics to transfer as savings of \$420,038 from funding granted to Council for the Freds Pass Road Upgrade project (from the Improving Strategic Local Roads Infrastructure Program (ISLRIP) Grants) to this Finn Road Roadside Drainage Upgrade project. All values quoted are excluding GST.

Community Engagement

Not applicable to this report

Recommending Officer: **Nadine Nilon, Director Infrastructure and Operations**

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.



COUNCIL REPORT

Agenda Item Number:	15.6
Report Title:	Sponsorship – Territory Natural Resource Management Conference and Annual Awards
Report Number:	18/0121
Meeting Date:	15/08/2018
Attachments:	Attachment A - Letter re Partnership Agreement: 2018 Territory Natural Resource Management Conference and NT NRM Awards

Purpose

This report presents for Council's consideration a request from Territory Natural Resource Management (TNRM) seeking Council sponsorship for the upcoming TNRM 2018 Conference and NT NRM Awards to be held in Darwin on 13-15 November 2018.

Summary

Over the past two years Council has partnered with TNRM by providing \$2,500 in sponsorship funding towards the annual TNRM Conference and Awards.

The annual conference provides an important opportunity for participants to hear about key projects and work undertaken in the Territory and further afield to protect and nurture the natural environment. Each year, as part of the conference program, an Awards Gala Dinner is held to celebrate the Territory's champions of nature, conservation and farming for the future.

Once again, Council has been invited to be a Silver Partner to annual conference and awards presentation by sponsoring the event by \$2,500. In doing so, Council will receive two complimentary conference tickets and two NT TRM Awards Gala tickets and will be recognised on the conference promotional material and on TNRM's website in relation to this event.

Recommendation

THAT Council:

1. agrees to support the Territory Natural Resource Management 2018 Conference and Northern Territory Natural Resource Management Awards as a Silver Partner by financially contributing \$2,500;
2. authorises the Chief Executive Officer to sign the Partnering / Sponsorship documentation; and
3. nominates the Mayor and Cr to attend the annual Awards Gala Dinner.

Background

TNRM is an independent not-for-profit organisation that works with landholders, community groups, industry and government to ensure sustainable management of our water, land, soils, plants and animals.

TNRM has been operating since 2003 and members include industry bodies, Landcare and community groups, local government, indigenous organisations, pastoral companies and local businesses.

In 2016, TNRM released its NT Natural Resource Management Plan 2016-2020 which provides a strategic NT-wide overview of the nine programs outlined in four regional plans. The Litchfield Municipality falls within the “Top End Region”. The Plan provides an integrated approach which aims to strengthen and develop strong partnerships and shared goals to ensure a collaborative approach to sustainable management of water, land, soils and biodiversity in the Top End.

TNRM is one of 56 Australian NRM groups that work across the country for the long-term management of our natural resources and is responsible for the coordination and administration of Australian Government funding provided specifically for natural resource management.

More information on TNRM can be found at <http://www.territorynrm.org.au>

Council’s Strategic Plan 2017-2021 has three priority areas of which one is *A beautiful and safe natural environment*. This priority area outlines Council’s commitment to protect and enhance the natural environment, including that Council will:

- Protect and promote local fauna and flora by supporting and working with local associations and key organisations such as NT Natural Resources Management.

TNRM match funding, people and deliver projects to ensure sustainable management of water, land, soils and biodiversity in the Northern Territory. TNRM is a key organisation whose strategic direction matches Council’s environment priorities towards ensuring that Litchfield Municipality is the best place to live in the Top End.

Each year TNRM holds a Conference and Awards event. This year’s conference will be held on 13-15 November 2018 with the Awards Gala Night on Friday 26 October 2018

TNRM is seeking Council support for the annual event and has invited Council to partner in the staging of the conference and awards as a Silver Partner, details below:

Based on this value the partnership is a ‘Silver Partner’ level.

Details of partnership support provided by Litchfield Council

Financial support of \$2,500 (exc. GST).

Please see below a summary of benefits, branding opportunities, rights and obligations in regards to this partnership agreement:

Partnership benefits provided to Litchfield Council	Silver Partner \$2,500
Complimentary full conference registrations including access to welcome function, presentations, poster sessions, catering and ability to register for all workshops, field trips of interest (providing places are still available)	2
Complimentary tickets to attend the NT NRM Awards Gala Dinner ¹ .	2
Logo displayed on TNRM website, in the TNRM Network Notes newsletters, in the conference and awards Programs and during the conference and awards	Yes
Inclusion of a promotional item from your organisation in the delegate satchels	Yes
Organisation pull-up banner to be displayed during the Presentation Day, held on Day 2 of the conference	Yes

¹ Additional tickets for the Awards Gala Dinner may be purchased individually at a reduced rate.

It is proposed that Council continues to support the TNRM annual Conference and NT Natural Resource Management Awards by financially contributing \$2,500.

Links with Strategic Plan

Priority # 3 – A beautiful and safe natural environment

Legislative and Policy Implications

Council's FIN07 Grants, Donations and Sponsorships Policy is relevant to this matter. The Policy states that all grants, scholarships, donation and sponsorships must benefit the Litchfield Council Municipality and must identify how it relates to the goals and strategies in the Municipal Plan.

Risks

There are no risks identified.

Financial Implications

Council's Budget 2018/19 provides for donations and sponsorships to the value of \$97,000 including \$57,000 for Community Support Grants program from which Council's financial support of \$2,500 would be allocated.

Community Engagement

Nil.

Recommending Officer: Kaylene Conrick, Chief Executive Officer

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.

30 July 2018

Kaylene Conrick
Chief Executive Officer
Litchfield Council
PO Box 446
Humpty Doo NT 0836

Partnership Agreement: 2018 Territory Natural Resource Management Conference and NT NRM Awards

Dear Kaylene

Thank you for choosing to partner with Territory Natural Resource Management (TNRM). Your generous support will assist us in delivering the 2018 TNRM Conference and NT NRM Awards.

In partnering with us, Litchfield Council is supporting natural resource managers from across the Territory to attend and participate in this unique community event.

The conference and awards offer delegates and partners the opportunity to learn from each other, network and build partnerships, and celebrate the work of Territorians who manage our land, water and biodiversity. TNRM values your contribution as a partner and we look forward to developing our relationship with you into the future.

The following partnership agreement outlines the responsibilities of TNRM and Litchfield Council as agreed in recent discussions.

Please sign and return the agreement to events@territorynrm.org.au. A final copy signed by both parties will be provided back to you for your records.

If you have any requests for amendments to the agreement or have any questions, please contact TNRM on 8942 8300 as soon as possible.

Once again, your support is greatly appreciated and we look forward to partnering with you for the 2018 TNRM Conference and NT NRM Awards.

Yours sincerely,



Karen May
Chief Executive Officer

Litchfield Council of PO Box 446, Humpty Doo agrees to partner with Territory Natural Resource Management (TNRM) of Level 1, 16 Bennett Street, Darwin, to provide financial support for the 2018 TNRM Conference and NT NRM Awards to be held in Darwin on the 13 – 15 November 2018.

The agreed support is to the value of \$2,500 (exclusive of GST) as quoted on 30 July 2018.

Based on this value the partnership is a 'Silver Partner' level.

Details of partnership support provided by Litchfield Council

Financial support of \$2,500 (exc. GST).

Please see below a summary of benefits, branding opportunities, rights and obligations in regards to this partnership agreement:

Partnership benefits provided to Litchfield Council	Silver Partner \$2,500
Complimentary full conference registrations including access to welcome function, presentations, poster sessions, catering and ability to register for all workshops, field trips of interest (providing places are still available)	2
Complimentary tickets to attend the NT NRM Awards Gala Dinner ¹ .	2
Logo displayed on TNRM website, in the TNRM Network Notes newsletters, in the conference and awards Programs and during the conference and awards	Yes
Inclusion of a promotional item from your organisation in the delegate satchels	Yes
Organisation pull-up banner to be displayed during the Presentation Day, held on Day 2 of the conference	Yes

¹ Additional tickets for the Awards Gala Dinner may be purchased individually at a reduced rate.

Recognition

Website promotions

Partner logos will be displayed on the TNRM website under the '*Conference - Partners*' section. This section may be removed or amended three weeks after the event. Logos can be hyperlinked to either the partner's website or Facebook page.

Verbal recognition during the conference and awards

Partners will be verbally thanked and recognised by the MC at the Conference and the Awards Gala Dinner whilst your logo will be displayed on pull-up banners and/or screens (dependent on the day and location of conference).

On site media opportunities

ABC NT Country Hour will be broadcasting live from the conference and local media will also be invited to attend. Partners are welcome to participate in on-site media opportunities such as press photographs and social media.

Conference Report

Partners will receive a post conference report summarising the conference and awards, attendees and presenters feedback and media round up.

Rights and Obligations

- Mention of partnership support **cannot** be guaranteed in interviews on radio and press promoting the conference and awards.
- Due to cultural sensitivities, Partners are not permitted to use images or footage from the conference and awards for its own promotional purposes unless permission has been granted by TNRM (this excludes 'sharing' conference and awards material posted on TNRM social media).
- Partnership level amounts are quoted and negotiated exclusive of GST. GST will be calculated and included on invoicing.
- The Partner grants TNRM an exclusive, royalty-free license to use their logo pre, post and during the conference for advertising and publication of the event. Ensuring the Partner benefits from branding opportunities in accordance with this agreement (logo size may be displayed according to the agreed partnership level at TNRM's discretion).

Important Dates

- If you wish to accept your allocated tickets (2) for the 2018 NT NRM Awards Gala Dinner please confirm by **Friday, 26th October 2018**.
Please provide appropriate guest information including their full name, position in organisation and any dietary requirements.
- The partnership will cease after the full term being three weeks post the event on **Friday, 7th December 2018**.

Declaration

SIGNED on behalf of Partner

I	Kaylene Conrick	as (position)	Chief Executive Officer
on behalf of	Litchfield Council		

agree to the details outlined in this partnership agreement dated 30 July 2018

Signature		Date	
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SIGNED on behalf of Territory Natural Resource Management (TNRM)

I	Karen May	as (position)	Chief Executive Officer
on behalf of	Territory Natural Resource Management		

agree to the details outlined in this partnership agreement dated 30 July 2018

Signature		Date	
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Please complete the above declaration section with your name, position, organisation, signature and date.

A finalised copy of the agreement will be provided to you for your own records.

Please return the signed agreement by email or post to either address:

Email

2018 TNRM Conference – Partnership Agreement

events@territorynrm.org.au

Post

2018 TNRM Conference – Partnership Agreement

Territory Natural Resource Management

GPO Box 2775

Darwin NT 0801

We sincerely thank you for your support!



COUNCIL REPORT

Agenda Item Number:	15.6
Report Title:	Litchfield Council Bendigo Bank 2018 Youth Forum
Report Number:	18/0128
Meeting Date:	15/08/2018
Attachments:	Attachment A – Event Record Report from Michael O’Meara

Purpose

To provide Council with a copy of the Litchfield Council Bendigo Bank 2018 Youth Forum Report (Attachment A) and propose that Council develops a youth policy.

Summary

The Litchfield Council Bendigo Bank 2018 Youth Forum was held on Wednesday 11 April 2018 at Taminmin College, as the first step of involving local young people in voicing their vision for the future of Litchfield.

The Forum program was designed and facilitated by world class youth facilitator Michael (MO) O’Meara.

Council does not currently have any youth specific policies, but best practice shows the importance of engaging with the younger demographics.

In developing a Youth Policy, over the next 12 months, Council commits to engage with a range of stakeholders including the local branch of the NT Police and local schools.

It is anticipated that the launch of the Youth Policy will be incorporated into the 2019 Northern Territory Youth Week in April 2019.

Recommendation

THAT Council

- a) receives and notes the Event Record Report for the Litchfield Council Bendigo Bank 2018 Youth Forum;
- b) determines to develop a Youth Policy in time for it to launch as part of 2019 Northern Territory Youth Week;
- c) writes to the Bendigo Bank Board, as the sponsor of Council’s Youth Event to provide the Board with a report on the youth event and sharing the students interest in small business enterprise learning and to thank the Bendigo Bank again for its sponsorship; and
- d) provides a letter of thankyou to the three schools that attended the Youth Forum and invite the schools to be involved in the development of a Youth Policy.

Background

The Litchfield Council Bendigo Bank 2018 Youth Forum was held during Northern Territory Youth Week and involved 70 year-nine students from Taminmin College, Good Shepherd Lutheran College and Sattler Christian College.

The Litchfield Council Bendigo Bank 2018 Youth Forum was a significant initiative that directly relates to the implementation of the Litchfield Council Strategy 2018 – 2022.

The Youth Forum was initiated by Council to gain an initial understanding of what local young people value and want to achieve in Litchfield.

The program followed a four-step logic; Welcome and introductions, World Café, developing a vision of the future, and how to achieve your vision.

The students were engaged and contributed to all discussions with a strong focus on the importance of creating the skills and attitudes that will enable young people to not just be the recipient of existing jobs – but the creators of future jobs.

Recommendations from the Youth Forum include the development of a Youth Policy to explore new ways to engage with Litchfield's young citizens.

Links with Strategic Plan

Priority # 1 – Everything you need

Priority # 2 – A great place to live

Engaging our community

Powerful and effective advocacy

Legislative and Policy Implications

Council has no policies directly relevant to this matter

Risks

Nil

Financial Implications

On invitation, Bendigo Bank sponsored Council's Youth Forum providing \$4,000 towards the event.

Council also received a funding grant of \$500 from the NT Government as part of youth Week Grants towards the Forum.

The facilitator fees including airfares and accommodation was \$3,119.00.

In total, the Youth Forum cost \$4044.00 with subsequent works to be conducted.

Community Engagement

Council initiated the Forum and first engaged schools in October 2017 to gain an initial understanding of what local young people value and want to achieve in Litchfield.

A letter of sponsorship request was sent to the Bendigo Bank and subsequent discussions took place to satisfy the need for more information regarding the Youth Forum.

Council will continue to engage the schools and Bendigo Bank regarding the outcomes of the Youth Forum and throughout the development of the proposed Youth Policy.

Recommending Officer: Kaylene Conrick, Chief Executive Officer

Any queries on this report may be directed to the Recommending Officer on telephone (08) 8983 0600.

Any member of Council who may have a conflict of interest, or a possible conflict of interest in regard to any item of business to be discussed at a Council meeting or a Committee meeting should declare that conflict of interest to enable Council to manage the conflict and resolve it in accordance with its obligations under the Local Government Act and its policies regarding the same.

‘Be True Be You’

Bendigo Bank Litchfield Council Youth Forum 2018

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1. Overview

Context

The Bendigo Bank Litchfield Council 2018 Youth Forum (Be True Be You), was conducted on Wednesday 11 April 2018 as the first step of involving local young people in voicing their vision for the future of Litchfield.

'Be True Be You' was the initiative of Litchfield Council and held during National Youth Week 2018. Taminmin College provided the venue and the Bendigo Bank was a principle sponsor.



70 year-nine students from Taminmin College, Good Shepherd Lutheran College and Sattler Christian College attended the event on Wednesday 11 April, 2018. Mayor Maree Bredhauer and Council CEO Kaylene Conrick attended the afternoon session of the forum to hear young people's priorities. A summary of Ideas and priorities identified at the forum were then presented to a meeting of Council on the same evening.

Litchfield Council initiated the forum to gain an initial understanding of what local young people value and want to achieve in Litchfield. The findings will be used by Council to better understand what it wants to achieve with its younger citizens. Once this is understood it will be possible to establish a strategy for how to get there.

The forum was organised by Nicky McMaster, Litchfield Council Community Development Officer. The program was designed and facilitated by youth facilitator Michael (Mo) O'Meara, Founder of MOHOW.

The MOHOW approach

MOHOW works across the world with governments to better understand:

- What Governments want to achieve with their young people (Objectives)
- What young people want to achieve with their government (Youth Objectives)
- How to achieve these objectives (Strategy).

MOHOW has facilitated many of the Australian Government's youth participation projects over the past 15 years including the National Youth Roundtable; 2020 Youth Summit and the Australian Youth Forum.

Australian projects have also included numerous youth strategy projects for local governments. Recent International Projects facilitated by MOHOW include the Kuwait National Youth Project and National Youth Centre Review and International Advisor to the United Arab Emirates Youth Empowerment Strategy.



MOHOW believes that while the context changes....

“Basically we need to know what we want to achieve (policy); what this desired future looks like (vision) before getting too far (Strategy)” Michael ‘Mo’ O’Meara.

There are different ways of establishing a plan for the future. Most youth policy sits within a ‘problem solving methodology. That is – asking young people about all the problems of their community and then attempting to fix them. This approach can reduce problems by focussing on doing less of what is not working.

The MOHOW youth planning approach is more appreciative in nature – it sets up a positive inquiry that seeks to engage young people, their community and elders in discussions about what they value, what makes them proud to be citizens of Litchfield and what they would like to create in their community.

The Program

Time: 8.00am – 2pm

When: 11 April, 2018

Where: Taminmin College, Humpty Doo

The program followed a 4-step logic:

- ❖ **Welcome and Introductions** – Presentation by the Founder of MOHOW, Michael (Mo) O’Meara. Mo shared stories about the best of Youth Participation / youth leadership in Australia.
- ❖ **World Café** – Small group discussions. Each table group of 6-8 young people shared their answers and stories relating to the following topics. Membership of groups changed for each topic.

Sharing stories - world café small group discussion - membership of groups change for each topic

- What is working well in Litchfield and helps us achieve?
- What helps and/or hinders young people achieve in Litchfield?
- Moments that have made you proud & Why?

- ❖ **Developing a vision for the future - small group discussions.**

The vision topic in the context of the previous session. The precursor question related to ‘why’ moments / experiences had resulted in pride. This provided participants with a reminder about the types of experiences they value most – before being asked to envision the future.

Vision question put to each table group:

If young people came together and worked towards a positive future for Litchfield – what would be different in 3 years? If there was a banner at entrance to Council in 3 years’ time, describing what young people are known for achieving – what would you want it to say about you and Litchfield?

- ❖ **How to achieve your Vision**

Small table group discussion followed by large group presentation.

Table groups were asked to go into the future three years – and then look back to now – what would they do as young people to create their desired future for Litchfield. (to make the future described in earlier session a reality)

- What do we create to achieve our vision - Small group brainstorm of ideas
- Each group developed up to 2 ideas for presentation to the large group
- Presentation of project ideas
- Prioritising ideas – whole group clarification exercise.

2. 'Be True Be You' - Forum notes

2.1 Our stories – who are we?

An open discussion process utilised a 'world café' format that required young people to change table groups for each question.

1. What is working well in Litchfield (what helps us achieve)?
2. What are the issues that hinder young people being able to achieve and succeed?
3. What is something that I have achieved that makes me feel proud?

The focus was on getting used to small group discussion of what is important to young people. Comments made by young people at this stage included:

What helps us achieve:

- Beautiful camping locations and views
- Nature and bush walks and hiking / bike trails
- Tourist attractions – Jumping crocs, Howards Springs Nature Reserve, Jim Jim falls, rock-holes and Florence Falls
- Nature and wildlife
- Waterfalls
- Sporting grounds
- lots of places to swim – Buley rock holes
- friendly, close knit community
- Sporting clubs
- Coolalinga Central
- People / community
- Opportunities to learn
- Tourism
- Cultural diversity
- Community events
- Family friendly environment
- Schools / VET courses (helps prepare for real world)
- Kakadu / Jabiru
- Diverse cultures
- Litchfield Council
- Team Coaches
- Friends
- Unique people
- Great sports clubs
- Musical opportunities
- Art competitions
- volunteer groups

What hinders:

- Not enough money
- Small population
- Judgy people & mean comments
- Crocs – swimming safety
- Lack of community events, youth activities
- Transport
- Lack of support
- Weather
- Local businesses closing
- Lack of public schools
- City – Rural resource divide
- Stuck in the past thinking
- Bullying
- Lack of respect for others
- Feeling small, constricted, separated
- Racism
- Relationships – mental health
- Locked public toilets

What makes us proud:

Young people shared a moment that had resulted in them feeling proud. The goal of this exercise was to better understand the type of experiences that young people really value. The focus was not so much on 'what' young people achieved – but why this was a special moment for them. This would serve as an indicator of the types of future experiences that would make them proud to be a member of the Litchfield community.

Some of these 'whys' included:

- Overcoming fear
- I didn't think I was good enough – I doubted my abilities until I got the award
- Someone said, 'Do you really think you've got a chance'
- Because the person meant a lot to me
- Because I got to represent my home town
- I didn't expect to qualify
- Proud when I see my friends achieve
- Kept on trying
- Someone said, 'Do you think you're worth it'
- I haven't broken a bone – I thought I would
- Working hard towards it as a team for two years
- Facing a girl twice my height and I only lost by 7 points.

2.2 Vision building

Participants were asked to imagine a future that they would be proud to be part of in 3 years' time.

"If the young people of Litchfield did more of the things that make you proud and worked together with Council that would be different in three years' time.....and

If there was a banner at entrance to Council in 3 years' time, describing what young people are known for achieving – what would you want it to say about you and Litchfield?

The purpose of this was to encourage thinking about the possibilities for Litchfield going into the future, and what their role as young people were in driving that forward.

A vision banner for Litchfield in 3 years...We are the Young People of Litchfield

- We can see better facilities for the people of the rural area
- We can see more opportunities for our youths, to become employed and independent, and have helped to create a mindset of giving back to the community
- We are members of the community who have strengthened the NT educational system, and closed loop-holes that stop students from reaching their full potential
- We are supportive of each other and work together to create many more opportunities for public school students and provide today's youths with supportive role-models
- We are the young people of Litchfield and we are known for having a welcoming town with amazing people
- We have achieved having a caring community with great sports clubs
- We are doing...opening to a more multi-cultural community
- We are known for being..... the first NT team to place at Nationals.....a good musician...for being the one that starts a business...for being an Olympic runner...for having my own animal business...for being a horse trainer...for opening my own nail salon
- For making a difference by changing how people think of our community
- We have more opportunities for sports and opportunities for little money
- Helping indigenous communities, building living education
- Being known for being the support that people need
- Known for being an active community

2.4 Achieving their vision - Making it real

Part 2 of the process invited young people to work in small groups and brainstorm their ideas for achieving this vision for Litchfield.

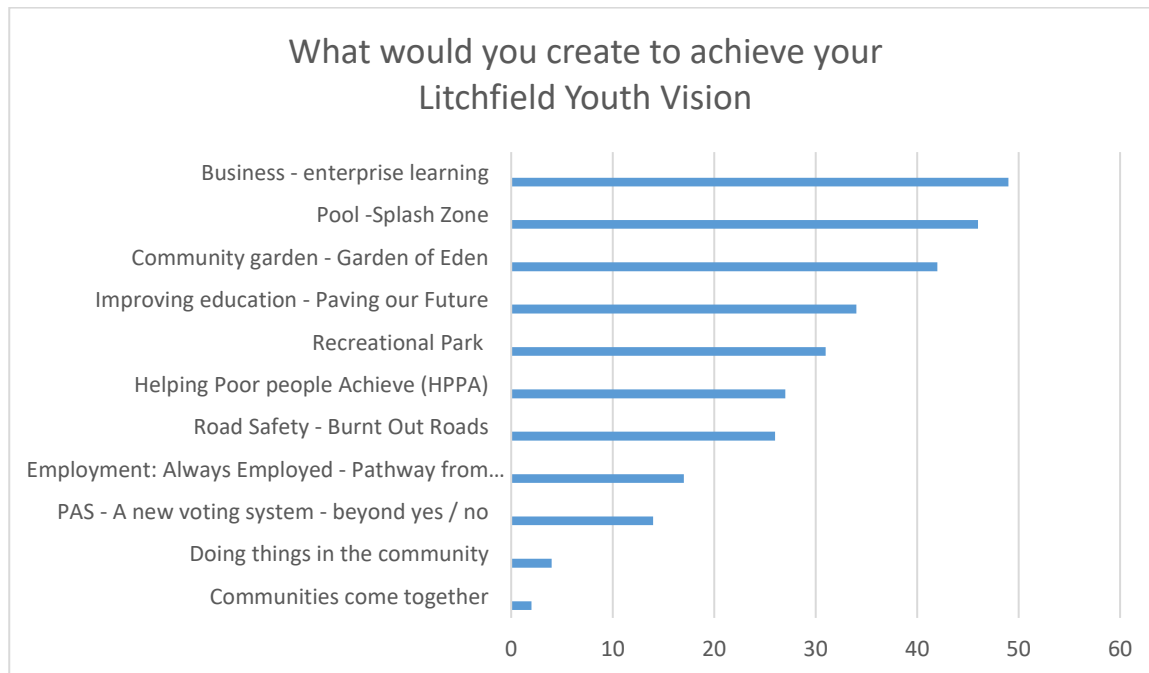
The intention was to discuss and capture as much raw thinking as possible in small table groups. While some young people verbalised their ideas – others recorded theirs on paper placed on the tables. The raw ideas are included as appendix 1 to this report.

3. Prioritising ideas – The Results

At the conclusion of the discussion, each table group shared their two priority topics with the room. These topics were then presented by each group and placed on a wall at the front of the room and a priority clarification exercise asked each young person to nominate the most important themes / ideas.

A total of 15 projects were presented. Prior to prioritising ideas – similar projects were combined – and considered as one overall theme. Three 'enterprise learning' ideas were grouped under the theme of business. Two employment creation projects were grouped under the theme of employment, and two Education related ideas were grouped as 'Improving Education'.

How - Each young person was then provided with 5 sticky dots and asked to place the dots next to the 11 theme grouped project ideas they believed most relevant to achieving their vision for Litchfield. That is – if having to make a choice where would they prioritise their time and/ or money?



3.1 About the Results

While not a formal vote, this exercise did provide evidence of an emerging consensus from young people at the forum about the priority importance of creating the skills and attitudes that will enable young people to not just be the recipient of existing jobs – but the creators of future jobs. Enterprise learning generally and rural enterprise experiences for young people are central to how this group of young people would achieve their vision for Litchfield.

Young people are clear that the future needs to include a focus on the rural area of Litchfield. A specific enterprise learning project was created with this in mind – such a project would provide employment and enterprising learning experiences for young people from smaller communities in the region.

Young people are proud of the sporting facilities that are in place, but want to make improvements where they see gaps especially so that all can participate irrespective of access to money. Litchfield young people are very aware of the advantages that their environment and natural attractions brings to their community. They also see a place for leisure and recreation activities that are created for all – including a pool and recreation spaces.

The Image of Litchfield is very important to young people. But not only the external image – young people want to create a positive community from within – *“creating a mindset of giving back to the community....being the support that people need...”* To achieve this future, young people at the forum strongly supported the idea of a community garden in which all can contribute and share and give back time and skills.

A feature of ideas raised at the forum is that the majority were designed to benefit others. Innovative ideas for providing housing, employment opportunities and genuine support for those in the most need are at the forefront of young people’s thinking.

Young people were advised that the ideas created at the forum are not a ‘wish list’ for others to achieve. They prioritised initial ideas that they believe will help to achieve their vision for Litchfield.

4. Next Steps – Towards a Litchfield Youth Plan.

The forum concluded with 40 of the participants expressing interest in continuing the ‘youth vision’ conversation with Council. This is great news. It provides evidence that Litchfield young people care about their community and want to contribute to its future – now.

The Litchfield Council initiative of hosting the ‘Be True Be You’ forum is evidence of Council’s commitment to increase its capacity to bring the voices of Litchfield young people into Council planning.

Council is aware that young people are already participating in Litchfield as students, jobseekers, workers, business owners, farmers and parents. The future is already being made by young people. They are already participating in an age of virtually unlimited global communication and this will have implications for how to best engage with Litchfield young people.

Embarking on the development of a ‘Litchfield Youth Plan’ provides Council with an opportunity to explore new ways of engaging positively with Litchfield’s young citizens and harnessing their expressed interest in their community.

It is recommended that Council:

- ❖ Use the draft ‘vision’ and ideas developed at this youth forum as the impetus for establishing a Litchfield Council Youth Plan.
- ❖ Stay engaged with young people who attended the Youth Forum. Seek opportunities to include the voice of young people in current and future Council activities.
- ❖ Invite young people who attended the ‘Be True Be You’ forum (together with other young citizens and stakeholders) to contribute to a Litchfield Council Youth Plan.

Once in place, the Litchfield Council Youth Plan will provide a clear picture of what Council wants to achieve with young people – not what Council will deliver alone – but what Council can advocate for with local young citizens and other stakeholders to achieve.

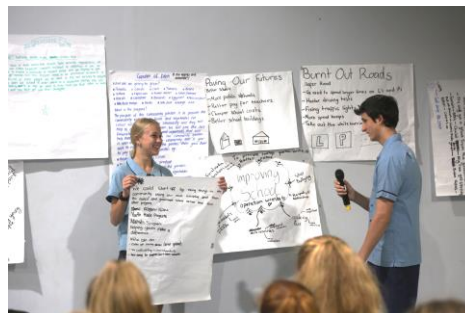
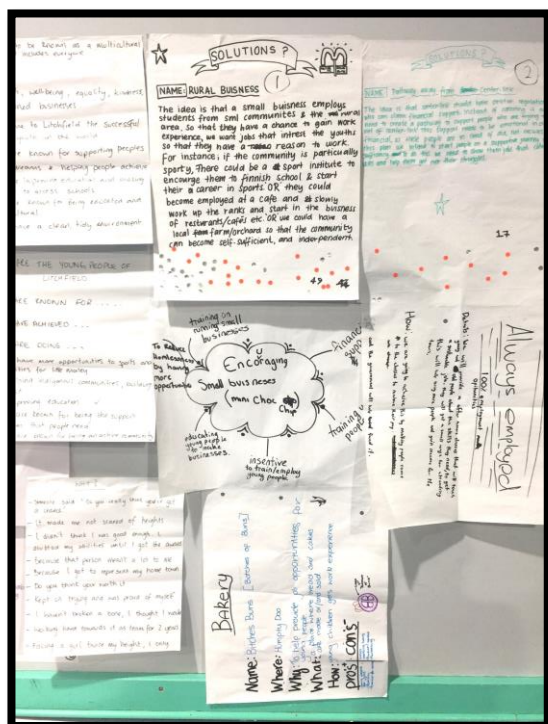
Report by:

Michael ‘Mo’ O’Meara – Founder MOHOW

and Facilitator of the Bendigo Bank Litchfield Council Youth Forum 2018.



APPENDIX 1: Priority topics– raw notes



1. Business – Enterprise Learning

a. Rural business

Small business employs students from small communities in the rural area so that they have a chance to gain work experience. We want jobs that interest the youths so that they have a reason to work. For instance, if the community is particularly sporty. For instance, if the community is particularly sporty, there could be a sports institute to help them finish school and start a career in sports. Or they could become employed at a café and slowly work up the ranks and start in the business of restaurants / café's etc. 'Or' we could have a local farm / orchard so that the community can become self-sufficient and independent.

b. Encouraging Small Business

A program that includes:

- Educating young people to make businesses
- Training on running small business
- Incentives to train / employ young people
- Financial support
- Training young people
- Would reduce homelessness by having more opportunities.

c. Bakery

- Youth Enterprise
- Name: Bitches Buns (Batches of Buns)
- Where: Humpty Doo
- Why: To help provide job opportunities for young people
- How: Young children get work experience
- Pros: Young people get jobs; creativity; Potential for expansion
- Con's: Costs; Working hours: Product control: Marketing.

2. Community Pool – Splash Zone

- *Safe place to swim – alternative to waterholes and croc dangers*
- *School swimming carnival*
- *Fun things to do over holidays*
- *place to meet up*
- *First rural community swimming pool*
- *Grant from government*
- *Local fundraising activities during the dry season.*

3. Community Garden – Garden of Eden

- *The purpose of the community garden is to provide the community with fresh fruit and vegetables*
- *We collect volunteers from the community and they help us to build and maintain.*
- *We will give the less-fortunate people fruit and vegetables that will help them live a healthy life.*
- *Our community garden is open to all members of the community and if you were to take produce from the garden then you pay it back to the garden by:*
 - *Helping to keep it tidy / clean*
 - *Planting more produce*
 - *Spreading the word about the garden.*
 - *Harvesting the fresh fruit and vegetables*
 - *Donating money to help our garden*

4. Paving Education – Improving our futures

- *To provide youths with a better future*
- *More public schools*
- *Better pay for teachers*
- *Cheaper school costs*
- *Better school buildings*
- *Social media education*
- *Role models*
 - *University graduates*
 - *Sports stars*
- *Respectful relationships*
- *Stop Bullying*
- *Making fun – more activities*

5. Recreational Park

- *We need this to keep kids off the streets....it will be a safe place because space that was used for illegal activities*
- *Rock climbing; pool; garden; petting zoo; hover board track; wifi access; sports fields; mountain bikes; motor bikes; horse trail...*

6. Helping poor people achieve (HPPA)

- *A place for the homeless to find work and a place to stay*
- *Feature: work and housing at one location*

7. Road Safety – Burnt out Roads

- *Safer Road*
- *We need to spend longer times on L's*
- *Harder driving tests*
- *Fixing traffic lights and roads*
- *More speed humps*
- *Take out the white barriers*



COUNCIL AGENDA

LITCHFIELD COUNCIL MEETING

Wednesday 15 August 2018

16 Common Seal

17 Other Business

18 Public Questions

19 Confidential Items

- 19.1 Tender Evaluation Report - RFT18- 162 Finn Road Roadside Drainage Upgrade
- 19.2 Application to Write-off Rates and Interest
- 19.3 NT Government Department of Housing and Community Development, Local Government Compliance Audit Draft Report
- 19.4 Coolalinga Community & Business Hub

20 Close of Meeting